

of Pottsville, in the State of Pennsylvania; to the Committee on Military Affairs.

By Mr. MAHAN: A bill (H. R. 8966) granting an increase of pension to Charles A. McGaffey; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 8967) granting a pension to Ann Manley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8968) granting a pension to Adam Akers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8969) granting an increase of pension to Elizabeth Ayers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8970) granting an increase of pension to William Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8971) to correct the military record of Adam Akers; to the Committee on Military Affairs.

By Mr. RUSSELL: A bill (H. R. 8972) granting an increase of pension to John H. Estes; to the Committee on Invalid Pensions.

By Mr. STOUT: A bill (H. R. 8973) for the relief of William Liskey; to the Committee on the Public Lands.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. KIESS of Pennsylvania: Evidence in support of House bill 5419, for the relief of William Woodhouse; to the Committee on Invalid Pensions.

By Mr. MCGILLICUDDY: Memorial of the State Board of Trade of Maine, favoring arbitration as a solution of international controversies; to the Committee on Foreign Affairs.

By Mr. MAHAN: Paper to accompany House bill 8572, granting an increase of pension to Albert Smith; to the Committee on Invalid Pensions.

By Mr. MONDELL: Petitions of sundry citizens of various towns and cities of Wyoming in support of House bill 5308, relative to mail-order houses; to the Committee on Ways and Means.

By Mr. STEPHENS of California: Memorial of the board of trustees of the California State Library, favoring House resolution 227, relative to the extension of parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of the Alameda County Colored American Center of the California Civic League, protesting against the segregation of the colored employees in the Government departments at Washington; to the Committee on Reform in the Civil Service.

By Mr. UNDERHILL: Petitions of sundry citizens of the State of New York, favoring passage of House bill 5308, relative to mail-order houses; to the Committee on Ways and Means.

SENATE.

TUESDAY, October 21, 1913.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 1673) authorizing the Secretary of the Interior to grant further extensions of time within which to comply with the law and make proof on desert-land entries in the counties of Grant and Franklin, State of Washington.

ENROLLED JOINT RESOLUTIONS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled joint resolutions, and they were thereupon signed by the Vice President:

H. J. Res. 125. Joint resolution authorizing the President to appoint delegates to attend the Seventh International Congress of the World's Purity Federation, to be held in the city of Minneapolis, State of Minnesota, November 7 to 12, 1913; and

H. J. Res. 134. Joint resolution for the appointment of a joint committee from House and Senate to attend Congress Hall celebration in Philadelphia in October, 1913.

CREMORA J. HOFFMAN.

Mr. MARTIN of Virginia presented a paper to accompany the bill (S. 2735) granting a pension to Cremora J. Hoffman, which was referred to the Committee on Pensions.

CHEYENNE RIVER AND STANDING ROCK INDIAN RESERVATION LANDS.

Mr. STERLING. Mr. President, I am just in receipt of a petition signed by more than 800 homestead settlers on the Chey-

enne River and Standing Rock Indian Reservation lands, asking for legislation which will relieve them from paying the purchase price for those lands. The petition recites that there have been four successive failures of crops in that section of the country. The lands are situated in North and South Dakota, the greater part of them in South Dakota.

I deem this a matter of great importance, and I will ask to have the petition read, omitting the names of the petitioners, and that it be referred to the Committee on Public Lands.

There being no objection, the petition was read and referred to the Committee on Public Lands, as follows:

PETITION OF HOMESTEAD SETTLERS FOR RELIEF.

To the President of the United States, the Senate, and the House of Representatives:

Your petitioners respectfully represent that we are now residing on homesteads in those parts of the Cheyenne River and Standing Rock reservations in North and South Dakota open to homestead entry; that we have endeavored to procure such crops as would maintain ourselves, our families and live stock, but that there has prevailed over this territory during the past three years and to this date (Aug. 15, so late that we can expect no returns this season) a drought which has been as severe as any in the history of this territory, which has resulted in practically a total failure of all crops planted, and that there has not been sufficient growth of grass to afford the usual hay crop or pasture, wherefore many are compelled to dispose of their live stock or ship them to other localities at a great cost; that wells and creeks which have seldom, if ever, before gone dry are now failing, and that reasonable provisions and feed are to be had only at an exceedingly high price.

That under the most favorable conditions we can not recover from the present unfortunate conditions. Having had four crop failures, many of us have exhausted all our money and credit, and it will be all and more than we can do to provide a livelihood for ourselves and families; that we can not pay the appraised price of the land or the interest on the payments of same; that if we are obliged to do so many of us will be obliged to abandon our homes and forfeit the payments and interest already made and all we have expended in improvements and cultivation.

That, owing to the four successive crop failures many are leaving their land and seeking employment, which will cause a great depreciation in the value of the land. We know that the land outside of the reservation and the Indian land within the reservation are being sold at prices not to exceed the appraised value of the reservation lands.

That a number of us have commuted our homestead entries and have paid up the Government in full for our land, and are now in destitute circumstances and can obtain neither money nor credit, and that we will be compelled to leave our land unless we obtain relief.

Wherefore we do petition Congress for relief, and pray that Congress absolve and discharge us of the obligation of making further payments or paying further interest on account of the balance now remaining unpaid on these lands, and that those of us who have heretofore commuted our homestead entries and have paid up the Government in full for our land have the money so paid refunded or our homestead rights restored, and be given the privilege to enter another quarter of land in the Cheyenne River or Standing Rock Indian Reservations, in North and South Dakota, on which payments be abated.

HOUSE OFFICE BUILDING.

Mr. MARTIN of Virginia. From the Committee on Appropriations I report back favorably without amendment the joint resolution (H. J. Res. 142) to provide for furnishing additional rooms in the House Office Building, and I ask unanimous consent for its present consideration.

There being no objection, the joint resolution was considered as in Committee of the Whole.

Mr. MARTIN of Virginia. Mr. President, I suppose I ought to explain the joint resolution. It will take only a few moments.

In the last general deficiency appropriation act an appropriation of \$220,370 was made for the construction of new offices in the House Office Building. It seems that the top floor had not been subdivided into rooms, and the increase in the membership of the House resulting from the last census left nearly 50 Members of the House unprovided with offices. Those offices are now nearly completed, the \$220,370 appropriated for that purpose having been expended in completing them, but they are not furnished. The House passed this joint resolution appropriating \$50,000 for furnishing 53 new rooms which have been constructed in the House Office Building.

The amount of \$50,000 for furnishing those 53 rooms is on the basis of the expenditure made for the rooms originally furnished in that building. I have no doubt myself that the House Members are not provided with adequate and proper offices in which to do the work devolving upon them. These offices which have been constructed must be furnished in order that they may be taken care of. The amount estimated for has been figured out by the Clerk of the House. The joint resolution has been considered by the House Appropriations Committee and has passed the House, and I think it is proper that the Senate should pass the joint resolution, so that those rooms may be furnished.

The VICE PRESIDENT. If there be no amendment as in Committee of the Whole, the joint resolution will be reported to the Senate.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH of Arizona:

A bill (S. 3314) for the relief of the water users under what is known as the Yuma irrigation project, in Yuma County, Ariz.; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. JACKSON:

A bill (S. 3315) to remove the charge of desertion from the military record of Lorenzo Dorrittee; and

A bill (S. 3316) authorizing the Secretary of War to make a donation of condemned cannon and cannon balls to the city of Salisbury, Md.; to the Committee on Military Affairs.

By Mr. O'GORMAN:

A bill (S. 3317) for the relief of the estate of Bernard P. Mimmack and others; to the Committee on Claims.

By Mr. ASHURST:

A bill (S. 3318) granting a pension to Letta D. Webster; to the Committee on Pensions.

SENATOR FROM ALABAMA.

Mr. BANKHEAD. Mr. President, on the 12th day of August the governor of Alabama appointed Hon. HENRY D. CLAYTON to fill a vacancy in the unexpired term ending March 3, 1915, occasioned by the death of Joseph F. Johnston, late a Senator from that State. The certificate of appointment was presented to the Senate and was referred to the Committee on Privileges and Elections. That committee has made no report. I am now authorized and requested by the Hon. HENRY D. CLAYTON to ask that the Committee on Privileges and Elections be discharged from the further consideration of the certificate of appointment, he having declined, and so notified the governor, to accept or attempt to accept the appointment. I also ask the unanimous consent of the Senate that the Committee on Privileges and Elections be discharged from the further consideration of the certificate of appointment or credentials of Mr. CLAYTON, and also that they be withdrawn from the files of the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Committee on Privileges and Elections is discharged from the further consideration of the certificate of appointment referred to and it is withdrawn from the files of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a joint resolution (H. J. Res. 139) to relieve destitution among the native people and residents of Alaska, in which it requested the concurrence of the Senate.

RELIEF OF NATIVES OF ALASKA.

The joint resolution (H. J. Res. 139) to relieve destitution among the native people and residents of Alaska was read twice by its title.

Mr. SMOOT. Mr. President, to what committee has the joint resolution been referred?

The VICE PRESIDENT. It has not as yet been referred.

Mr. SMOOT. I think it should go to the Committee on Appropriations, because it relates to part of an appropriation that has already been made.

The VICE PRESIDENT. The joint resolution is for the purpose of transferring the unexpended balance of an appropriation to another purpose. Should it go to the Committee on Appropriations?

Mr. SMOOT. I think it should go to the Committee on Appropriations.

The VICE PRESIDENT. The joint resolution will be referred to the Committee on Appropriations.

THE MERCHANT MARINE.

The VICE PRESIDENT. The morning business is closed, and the Chair lays before the Senate the special order, which is Senate bill 136.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea.

Mr. LA FOLLETTE. Mr. President, the proceedings of yesterday operated to defeat for the time the consideration of this important measure. The Senate was compelled to adjourn because no quorum was present, and a quorum could not be obtained. These facts impress me with the importance of ascertaining now whether it is possible to bring the Members of this body to a realization of the importance of this legislation in such a way as to insure their attendance so that the

bill may be disposed of under the terms of the special order made with respect to it.

Two courses are open to those who are interested in this legislation. One is to raise the question of a quorum now and ascertain whether Senators are here or are absent. The other is to proceed with the discussion of the bill in the presence of some 30 or 35 Senators now on the floor and to continue in that way to-day and to-morrow and on Thursday be confronted, shortly before the order is to expire, with the fact that there is not a quorum of the Senate in the city of Washington, and then this measure, involving the safety of life at sea, must fail and receive no consideration possibly for months. The postponement of the determination of the presence of a quorum until shortly before the vote is to be taken might very easily leave us with the time so short that it would be impossible to secure the attendance of a sufficient number to insure action before the time when the order will expire.

For that reason, Mr. President, I will now test that question. If it shall be developed that a quorum is not present, I ask the Senate to take such action as will compel the attendance of a quorum of the Senate, so that a vote may be had upon this measure.

Mr. ASHURST. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Arizona?

Mr. LA FOLLETTE. I do.

Mr. ASHURST. Before the Senator calls for a quorum I should like to be heard for a moment on the same subject.

Mr. LA FOLLETTE. I yield.

Mr. ASHURST. At this time?

Mr. LA FOLLETTE. Yes; I yield to the Senator now.

Mr. ASHURST. Mr. President, very little, if anything, that I have ever said here or elsewhere deserves to live or to be resurrected, but I shall, nevertheless, now read to the Senate the brief statement I made here on October 9.

The statement is as follows:

While I do not happen to have the honor to be a member of the committee which reported this bill, I must not let this occasion pass without saying here that I am extremely pleased that the bill has been reported. I have given the bill considerable study, not only during this session but during the last session. Before I came to Congress I gave a bill somewhat similar to this measure much study.

This bill has for its object the promotion of the safety of human life at sea. Do we need another *Titanic* disaster to convince us of our duty on this bill? How much longer must we delay when matters of such supreme importance are before us? The bill not only promotes the safety of passengers and the crew of the vessel at sea, but it also has for its beneficent purpose the abolition of a very odious form of involuntary servitude that has been carried on and imposed upon many helpless seamen.

We are here; Congress is supposed to be in session; and we ought in good faith to the people of the United States manfully to legislate on all subjects upon which we have jurisdiction or manfully to adjourn.

I join with those who say we ought not to ping-pong about from Thursday to Monday, then from Monday to Thursday. Let us diligently take up subjects of legislation and treat them as they should be treated, or have the nerve and pluck to adjourn—I was about to say resign; yes, if we can not do our work we ought to resign.

I earnestly hope that no objection will be made, for this bill or some bill of this same general character should have been passed years ago.

Mr. President, on October 13 I spoke as follows here in the Senate:

BUSINESS OF THE SESSION.

Mr. ASHURST. Mr. President, a moment ago a motion was made and carried that when the Senate adjourns to-day it adjourn until Thursday next. I am a new Senator here, and would be presumptuous if I attempted to put my limited experience into the scales against the experience of elder Senators. But I warn the Senate, I warn especially the Democratic Members of the Senate, that no party can fool the American people. Let us either manfully work or manfully adjourn.

I protest with all the vehemence of which I am capable against trying to make the American people believe that we are at work when we are not. On the calendar there are 40 or 50 bills that have been reported. They should be passed or defeated. Is the United States Senate afraid to meet the bills that are upon the calendar? Is any Senator afraid to vote yea or nay on the bills?

We are drawing salaries paid to us for performing our duties, and I again protest, and shall continue to protest, against a procedure of pretending to be at work when we are not. Now, why may we not meet at 2 o'clock every afternoon and take up the calendar? Many bills of great importance to the country are pending on that calendar requiring attention. There is an enormous work and an immense responsibility just ahead of the Democratic Party. The serious economic conditions facing us require that we give studious, assiduous, and careful attention to legislation in addition to the tariff and the currency.

Mr. President, when the distinguished Senator from Wisconsin [Mr. LA FOLLETTE] urged that the seamen's bill, so called, be made the unfinished business I joined in that request and also urged that the bill be passed at an early day, because the discussion of such legislation is entering now upon its twenty-third year and can not now fairly be called "hasty legislation." At the very time, at the very hour, indeed, sir, at the very moment we were urging that this bill should be discussed the *Volturro* was burning on the high seas and valuable—all human lives are valuable—lives were lost because the

seamen were not sufficiently experienced in the method and manner of lowering lifeboats.

This is a meritorious bill; no more meritorious bill has been presented to Congress since I have been a Member. It has for its purpose amongst other things the abolition of an odious form of involuntary servitude that has been imposed upon seamen far, far too long. We have made this bill the unfinished business. The Senate should either adjourn or send for the absentees to come here; and above all things we should not carry on this miserable farce of pretending that we are at work when we are not. Further to prolong the present situation would be showing bad faith, which the Senate can not show and never yet has exhibited on a question of unanimous-consent agreements.

Our word is pledged to the American people, and pledged to each other, that we will consider the bill and that at not later than 4 o'clock on next Thursday we will vote upon it. When we entered into that agreement we presupposed that we would have a quorum. For myself I do not believe, I can not believe, that any Senator would so far forget himself, would so far forget the proprieties of this place, would so far forget his duty as to defer action on this bill by any means or any motion which would seek willfully to break a quorum in view of the fact that we have agreed to vote next Thursday.

The people of the United States admire directness and boldness. If we should all resign they would be very grateful to some of us; if we should adjourn, many of them would be grateful; if we should go to work, the whole Nation would be grateful; but no one will be grateful if we pretend to be at work when we are not. Let us press forward and perform the high and important duties of these honorable positions, the seats in the Senate, to which we have been called.

Mr. BORAH. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Idaho?

Mr. LA FOLLETTE. I do.

Mr. BORAH. Mr. President, I think we are all agreed that it is rather an unfortunate situation in which we find ourselves, attempting to consider important measures when we are struggling at the same time to keep a quorum. There is only one way, in my judgment, in which we can keep a quorum here, and that is to have it understood once and for all that we are going to proceed to consider all such legislation as may properly come before us until such time as the currency bill arrives here. The pending bill is an important measure; everyone will concede that; but there are also other matters of importance in which Senators are vitally interested; and Senators are away because of the fact that it is not anticipated that any continuous course of legislation will be had.

I should like, if the Senate would do so, to see the announcement made that we will proceed to legislation and to consider all matters which may properly come before us in due course of business. Then Senators will return here and they will remain here. There is no reason, to my mind, why we should not do so, because the currency bill will certainly not be before us for 15 or 20 days. In the meantime we could consider other measures—some of them, it is true, of a local nature, but nevertheless very important and of more than ordinary concern to those who are interested from a local standpoint. In this way, Mr. President, we can bring the Senate here and proceed to business. I can not see why we should not proceed in the usual way to consider all such matters as may properly come before us. If we are to stay here—and I am quite willing to stay upon that program—let us dispatch business.

I am thoroughly in sympathy with the suggestion of the Senator from Wisconsin [Mr. LA FOLLETTE], but I should like to have it understood that when Senators are called back here they shall be called here for continuous work. I have not urged some measures in which I am interested for the reason that I felt absolutely certain that we would not get a quorum. I did suppose that the importance of this bill would secure the attendance of a quorum, but it seems that so far it has not done so.

Mr. CUMMINS. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. LA FOLLETTE. Certainly.

Mr. CUMMINS. I think the attitude in which we find ourselves is not only unfortunate, as suggested by the Senator from Idaho [Mr. BORAH], but that it is humiliating. We ought either to adjourn, or we ought to do the business which we are uncommissioned to do. I simply repeat a remark that I made a few days ago when the subject was before the Senate. It is true, as stated by the Senator from Idaho, that so long as it is understood that nothing will be done, that no general legisla-

tion will be considered, it will be found practically impossible to keep a quorum of the Senate in the city of Washington.

I do not know whether it is in the contemplation of those who really control the movement of the Senate that there shall be an adjournment; the newspapers seem to be very conflicting in their reports upon that matter; but my conclusion, from everything that I have been able to see, is that we are not to adjourn until the banking and currency bill is disposed of. If that be true—and we might as well determine that at one time as another—then the committees of the Senate ought to reassemble and resume their work.

Take the Committee on Interstate Commerce, for example. I happen to know something about its calendar, because I am a member of that committee. There are upon its calendar now bills that are of the first importance to the American people. I am not now speaking of the great measures which are intended to further regulate the trusts and monopolies of the country, but I am speaking of other legislation for which there is a universal demand. We have not had a meeting of the Interstate Commerce Committee this session, save a preliminary meeting, in which it was announced that nothing would be done save mere organization. I did not complain of that in the early part of the session, because all Senators were absorbed in the consideration of the tariff bill; but that is now over; we have time in which that work ought to be done, and Senators ought to be here doing it. Therefore, I think the Senator from Wisconsin is right. We might as well determine now whether we can secure enough Senators to do business, not alone the business now before the Senate, but all the business that would naturally come before the body.

Here is a measure that deeply concerns the welfare of a great body of men, who for years—yes; for centuries—have suffered from a brutality and a tyranny that shock the sense of civilized men whenever it is described, and we are confronted with the danger that when we come to the moment of voting we will not have a quorum of the Senate here to declare their purpose.

I think it is due the country that the Senate this morning shall proclaim that we intend from now on to consider the business of the country, to consider it diligently, and to consider it every day until an adjournment takes place. Therefore I hope that the proposal of the Senator from Wisconsin will bear fruit and that we will, before we take a vote upon this bill, have a quorum here that is willing to stay without having the Sergeant at Arms at their elbows.

Mr. SMOOT. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. I do.

Mr. SMOOT. Mr. President, I should like to suggest to the Senator from Wisconsin that we now proceed to the discussion of the pending bill, as he, no doubt, will open the discussion and no doubt the Senator from Ohio [Mr. BURTON] will require some time to answer.

I desire also in this connection to call his attention to the unanimous-consent agreement. In my opinion, it is not necessary under that agreement that the vote shall be taken on Thursday, for it provides:

And that at not later than 4 o'clock p. m. on Thursday, October 23, 1913, the Senate will proceed, without further debate, to vote upon any amendment that may be pending, any amendments that may be offered, and upon the bill, through the regular parliamentary stages, to its final disposition.

Or, in other words, if the bill is not disposed of upon the calendar day of Thursday, it will be disposed of just as soon thereafter as the Senate can develop a quorum and vote upon it. The Senate can not after Thursday, unless the bill is then disposed of, do any other business. The only thing after 4 o'clock Thursday that can be done is to vote upon amendments that may be offered or amendments that may be pending and on the bill itself; but there is nothing in the unanimous-consent agreement that compels a vote upon that calendar day. Generally, in unanimous-consent agreements it is provided that the vote shall be taken either upon the calendar day or the legislative day; but this unanimous-consent agreement does not so provide.

I believe there is a quorum of the Senate present in the city, and I really believe that there will be a quorum present on Thursday; but even if there is not, Mr. President, we will be in just as good a position, and better, if we discuss this question now and get the discussion back of us and then develop a quorum as we would be to do it this morning. I simply suggest this to the Senator from Wisconsin.

Mr. BORAH. Does the Senator from Utah think that it is a very dignified thing to discuss a bill in the absence of Senators, hoping we may not get a quorum after it is discussed?

Mr. SMOOT. There are more Senators now present in the Chamber than are generally present when many very important subjects are discussed.

Mr. BORAH. So much the worse for the Senate.

Mr. SMOOT. I believe the Senator will admit what I have said, will he not?

Mr. BORAH. I do not know whether I will admit it or not. I do know that Senators do not attend in the Chamber at all times, but they are generally close enough—in the cloakrooms—so that if a Senator becomes interesting they can come in.

Mr. President, I would not object to any action the Senator from Wisconsin might take in regard to his own bill, of course, and if the course suggested by the Senator from Utah [Mr. Smoot] should be satisfactory to him I would not object; but as for myself, I do feel that we ought to have here a Senate with a readiness and showing an outward disposition to consider these matters as a Senate and that we should not simply creep along, getting the bill through by piecemeal and by calling in a quorum under great excitement and force of arms in order to pass a very important measure. There ought to be something left to this body in the way of dignity and a sense of responsibility; and I maintain that when a measure of this importance is being considered it ought not even to go into the Record that we propose to discuss and consider it in the absence of a quorum of the Senate, in the hope that we can force enough into the Chamber so that we can vote on the bill when that stage is reached in its consideration.

Mr. KERN. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. LA FOLLETTE. I do.

Mr. KERN. Mr. President, I am quite in sympathy with the Senator from Wisconsin [Mr. LA FOLLETTE] in his efforts in behalf of this bill. I am also quite in sympathy with him in his efforts to secure a quorum, that the Senate may proceed in the orderly conduct of its business. Speaking for the majority, on yesterday I sent out a notice to all the Members of this side who are in the city and telegraphed to all those absent who were at all likely to be able to arrive here during the day. There are now in the city, from the best information I can get, 48 Senators, 31 of whom are Democrats and 17 Republicans, there being 19 absentees on the majority side and 28 absentees on the minority side.

I do not know whether or not a quorum can be had to-day except by means of extraordinary process. I am in favor of the exercise of all the power of the Senate to bring a quorum here for the transaction of business. I think it would be a public misfortune for those present to surrender to the absentees. It seems to me it would be a confession to the country and to the world that the Senate of the United States is unable to carry on the business entrusted to it by the people, even business of this important kind.

I do not understand how any man can read the petition of the seamen to this body, which has been made a public document, without being impressed with the vital importance of this measure. It is not only a question of the preservation of human life, spoken of by the Senator from Wisconsin, but a question of human liberty as well. It is a question in which all men who love liberty are deeply interested and all those who are interested in the preservation of human life and the averting of such horrible calamities as have recently occurred upon the seas.

As to absentees, I do not desire to speak in terms of censure regarding many of those who are not here. There are members of the Finance Committee who have spent the summer here who are well-nigh broken in health. My colleague is one of them. I can understand why those men, men whose health has been impaired, are now seeking a little needed rest. There are two or three or four other Senators, not members of the Finance Committee, who are absent on account of ill health. Of course no word of censure is applicable to cases of that kind. But there is no sort of reason why a majority of the Senate should not be in attendance and why a quorum should not be maintained.

As to the suggestion of the Senator from Iowa [Mr. Cummins] in regard to taking up the regular business of the Senate, and as to whether or not there is to be an adjournment, I will say that I have no information upon that subject. I have no information that leads me to believe there will be a speedy adjournment of this body. I can see no reason why the regular business of the Senate should not be taken up, or why we should not proceed to work in the ordinary way.

Mr. BACON. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. LA FOLLETTE. I do.

Mr. BACON. I presume I will not be considered as one generally apologizing for those who are not present in their seats in this Chamber. I am myself a very ardent advocate of the proposition that it is the duty of every Senator to be in his seat at all times when not necessarily absent, and I have endeavored to square my own conduct with that rule throughout my service in the Senate. At the same time I think something should be said to relieve Senators who are now absent from any improper censure on account of their absence at this time.

During the time I have been in the Senate I have never seen an occasion when a quorum of the Senate was not easily obtainable until the present time. I think the absence of a quorum now, or the difficulty in obtaining one, is due to a fact which all must concede—that present conditions are abnormal and have been so recognized and in a measure consented to.

It is a well-known fact that this session was called as an extraordinary session for specific purposes. While some other measures have had some degree of consideration, it has been recognized by Senators on both sides of the Chamber that we were not expected to engage in the regular activities of legislation which are usually found in a session not called for some specific purpose, as this has been.

I think it will be conceded that among the Senators who are now absent are many of the most faithful, diligent, and painstaking Members of the Senate. Everybody will concede that. When we were first called in extraordinary session it was recognized that it was for the purpose of considering and, if found practicable, of passing a bill upon the tariff. It was recognized that during all the time the tariff bill was before the Finance Committee the Senate was practically doing what is popularly called "marking time." In other words, it was nominally remaining in session for the purpose of being in readiness to receive the report of the Finance Committee when it should come and of then proceeding to act upon it.

When the tariff was disposed of, the currency question was recognized as the measure which alone required us to remain here. I do not mean by that that it was alone what we were to do, but that in its absence we undoubtedly should have adjourned. That is what I mean.

When we disposed of the tariff bill and took up the currency bill it was generally recognized that the Senate was again going to be nominally in session, and Senators will remember that it was even proposed that there should be a formal unanimous agreement that the Senate should meet and adjourn every third day, simply complying with the requirement of the Constitution in that regard, but being in practical recess. That was objected to, if I recollect rightly, by the Senator from Washington [Mr. Jones], who insisted that if we were not to have a recess covering a period of time which would permit Senators to go to their homes and remain there for some time he would not consent to it. The consequence was that the proposal was not pressed, and we have continued in this condition.

The point I wish to make, simply in justice to absent Senators, is that while we have had no such agreement it has been recognized that that was practically what would be done; and while nothing has stood in the way of considering any matter that the Senate might decide to consider, Senators have been absent upon that idea. I see before me Senators now present who have been home and have stayed a month. Nobody criticized them for it. Since their return other Senators who were in their places during the absence of those Senators have taken advantage of the opportunity, when they understood the Senate would not be engaged in active work, to themselves enjoy a similar privilege.

I say this much simply in justification of Senators who are absent. My colleague is one of them. He has been here regularly and faithfully every day, and only three days since went home for a week's rest and for attention to some matters of business. What I say of my colleague is true of a number of other Senators whom I have in my mind and whom other Senators will readily recall as being among the most diligent, faithful, and active Members of this body. Therefore, I think, they ought not to be the subject of unqualified condemnation on account of their absence.

It is perfectly competent for the Senate, if it sees proper to do so, to say that that understood condition is no longer to continue, and that from now on we propose to take up the business of the Senate and proceed with it in the regular manner as if we were in regular session. Then every Senator will be upon notice; and every Senator who after that absents himself will be legitimately the subject of the criticism which is now passed upon those who are absent.

I have thought it proper to say this much in justice to Senators who are absent, many of whom, I repeat, are among the most valued, diligent, and faithful Members of this body, and

who are now absent because of that general understanding, and who will return to their seats and resume their active duties here as soon as they learn that that abnormal condition is no longer to continue, but that we propose to proceed actively with the business of legislation.

Mr. LA FOLLETTE. Mr. President, if there were present to-day the Senators who have absented themselves from attendance upon the Senate since the Senate made the present order a special order of business, we would have a quorum. Senators who have gone to their homes or elsewhere, either for pleasure or for business, since that order was entered by the Senate have done so, not as stated by my friend from Georgia, with the understanding that the Senate was to transact no business, but with full knowledge of the fact that the Senate was to begin on Thursday of last week the consideration of this measure. Its consideration was to continue until Thursday of this week, at which time the Senate would vote.

The suggestion of the Senator from Utah [Mr. SMOOT] that by the literal terms of the unanimous-consent agreement this measure need not be disposed of on Thursday can perhaps be sustained. Perhaps it will not be questioned. I do not know about that.

The VICE PRESIDENT. Will the Senator permit the Chair to make an observation?

Mr. LA FOLLETTE. With very great pleasure.

The VICE PRESIDENT. The Chair recognizes the fact that the United States Senate is a self-governing body. The Chair is frequently wrong in his rulings; but in order that when the Senate disagrees with the Chair it may do so deliberately, and not upon the impulse of the moment, the Chair is going to rule now that on Thursday at 4 o'clock, unless an appeal be taken from the ruling of the Chair, no motion will be considered except to send for absent Senators until the unanimous-consent agreement is disposed of.

That may be a wrong ruling, but the Chair thought it well to make it now. If the Senate thinks the Chair is wrong, an appeal may be taken at that time and the Chair's ruling reversed. The Chair thinks a unanimous-consent agreement sets aside every rule of the Senate. When the Senate has agreed to do a certain thing at a certain time, it must do it.

Mr. SMOOT. Mr. President, I quite agree with the object the Chair has in view; but do I understand the Chair to mean that a motion to adjourn would not be in order?

The VICE PRESIDENT. The Chair means there will have to be an appeal from the Chair before such a motion will be entertained.

Mr. SMOOT. I do not know that it will occur; but I believe that under the rules a motion to adjourn is in order at any time.

The VICE PRESIDENT. The Chair does not pretend to be right; but the Chair is submitting the matter to the Senate now for consideration, because the question is liable to arise.

Mr. SMOOT. Then, of course, we will not discuss it at this time.

Mr. LA FOLLETTE. Mr. President, impressed as I am with the belief that this measure is so important that the Members of the Senate should be here in full quorum when it is taken up for consideration, and because of the possibility that on Thursday, for lack of time, we may not be able to obtain the attendance of a quorum, I purpose to raise that question now and to seek, in so far as I am able, to maintain a quorum until this special order has been executed.

I therefore suggest the absence of a quorum and ask for the calling of the roll.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Martin, Va.	Sterling
Bacon	Goff	Martine, N. J.	Stone
Bankhead	Hitchcock	Myers	Sutherland
Borah	Hollis	Norris	Swanson
Brady	Hughes	O'Gorman	Thornton
Bristow	Jackson	Page	Tillman
Bryan	James	Pomerene	Vardaman
Burton	Kenyon	Shafroth	Williams
Chamberlain	Kern	Sheppard	
Chilton	La Follette	Smith, Ariz.	
Cummins	Lane	Smoot	

Mr. SHEPPARD. My colleague [Mr. CULBERSON] is necessarily absent. He is paired with the Senator from Delaware [Mr. DU PONT]. I will let this announcement stand for the day.

Mr. THORNTON. I announce the necessary absence of my colleague [Mr. RANDELL]. I will let this announcement stand for the day.

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. SHIVELY] from the city. He is paired with the junior Senator from Illinois [Mr. SHERMAN]. This announcement may stand for the day.

Mr. MARTINE of New Jersey. I desire to announce that the Senator from Tennessee [Mr. LEA] is absent owing to illness in his family.

The PRESIDING OFFICER (Mr. VARDAMAN in the chair). Forty-one Senators have answered to their names. There is not a quorum present.

Mr. LA FOLLETTE. I request that the names of the absent Senators be called.

The PRESIDING OFFICER. The Secretary will call the names of absent Senators.

The Secretary called the names of absent Senators, and Mr. BRADLEY, Mr. REED, Mr. THOMAS, and Mr. WEEKS answered to their names when called.

Mr. WEEKS. I wish to announce that my colleague [Mr. LODGE] is absent on account of illness, and that the junior Senator from Illinois [Mr. SHERMAN] is absent on account of important business. I will have this announcement stand for the day.

Mr. BACON. I wish to state for my colleague [Mr. SMITH of Georgia] that after having been here during the entire summer very ardently engaged in the business of the session he has been called away by some necessary matters which needed his attention for a few days, and that in his absence he is paired with the senior Senator from Massachusetts [Mr. LODGE].

Mr. SMOOT. I desire to state that the senior Senator from New Hampshire [Mr. GALLINGER] intended to be present, but he is confined to his home on account of illness. He will reach Washington just as soon as it is possible for him to leave home.

Mr. O'GORMAN. I desire to announce that the junior Senator from Delaware [Mr. SAULSBURY] is paired with the junior Senator from Rhode Island [Mr. COLT] and that the junior Senator from Delaware is necessarily absent at this time.

Mr. KERN. I think it ought to be stated that the junior Senator from Arkansas [Mr. ROBINSON] is absent on business of the Senate. He is paired with the junior Senator from Michigan [Mr. TOWNSEND], who is also absent on the same business.

The PRESIDING OFFICER. Forty-five Senators have answered to their names, less than a quorum.

Mr. KERN (at 1 o'clock and 10 minutes p. m.). I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

At 1 o'clock and 45 minutes p. m. Mr. NELSON entered the Chamber and answered to his name.

Mr. LA FOLLETTE. Mr. President, I move that the Sergeant at Arms be directed to notify by telegram all absent Senators to return immediately and attend upon the sessions of the Senate.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

At 2 o'clock and 42 minutes p. m. Mr. OWEN entered the Chamber and answered to his name.

At 2 o'clock and 43 minutes p. m. Mr. LEWIS entered the Chamber and answered to his name.

The VICE PRESIDENT. Forty-eight Senators have answered to the roll call. There is a quorum present.

Mr. LA FOLLETTE. Mr. President, I offer as a substitute for the pending bill the amendment which I send to the Secretary's desk.

The VICE PRESIDENT. Does the Senator propose the amendment as a substitute for the entire bill?

Mr. LA FOLLETTE. For the entire bill. I ask that the proposed substitute may be read.

The VICE PRESIDENT. The amendment proposed by the Senator from Wisconsin will be read.

The SECRETARY. It is proposed to strike out all after the enacting clause of the bill and to insert the following:

That section 4516 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4516. In case of desertion or casualty resulting in the loss of one or more of the seamen, the master must ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same or higher grade or rating with those whose places they fill, and report the same to the United States consul at the first port at which he shall arrive, without incurring the penalty prescribed by the two preceding sections. And in all merchant vessels of the United States of more than 100 tons gross the sailors shall, while at sea, be divided into at least two and the firemen, oilers, and water tenders into at least three watches, which shall be kept on duty alternately for the performance of ordinary work incident to the sailing and management of the vessel; and seamen serving in one department of a vessel shall not be required to do duty in another department; but these provisions shall not limit either the authority of the master or other officer or the obedience of the seamen when, in the judgment of the master or other officer, all the sailors or all the firemen or the whole crew is needed for the maneuvering of the vessel or the performance of work necessary for

the safety of the vessel or her cargo or for the saving of life aboard other vessels in jeopardy. While the vessel is in a safe harbor no seaman shall be required to do any unnecessary work on Sundays or legal holidays, but this shall not prevent the dispatch of a vessel on regular schedule or when ready to proceed on her voyage; and at all other times while the vessel is in a safe harbor nine hours, inclusive of the anchor watch, shall constitute a day's work. Whenever the master of any vessel shall fail to comply with this section, the seamen shall be entitled to discharge from such vessel and shall, upon demand, receive wages then earned. But this section shall not apply to fishing or whaling vessels or yachts."

SEC. 2. That section 4529 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4529. The master or owner of any vessel making coasting voyages shall pay to every seaman his wages within two days after the termination of the agreement under which he was shipped, or at the time such seaman is discharged, whichever first happens; and in case of vessels making foreign voyages, or from a port on the Atlantic to a port on the Pacific, or vice versa, within 24 hours after the cargo has been discharged, or within 4 days after the seaman has been discharged, whichever first happens; and in all cases the seaman shall be entitled to be paid at the time of his discharge on account of wages a sum equal to one-third part of the balance due him. Every master or owner who refuses or neglects to make payment in the manner hereinbefore mentioned without sufficient cause shall pay to the seaman a sum equal to two days' pay for each and every day during which payment is delayed beyond the respective periods, which sum shall be recoverable as wages in any claim made before the court; but this section shall not apply to masters or owners of any vessel the seamen of which are entitled to share in the profits of the cruise or voyage."

SEC. 3. That section 4530 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4530. Every seaman on a vessel of the United States shall be entitled to receive, within 48 hours after demand therefor, from the master of the vessel to which he belongs one-half part of the wages which shall be due him at every port where such vessel, after the voyage has been commenced, shall load or deliver cargo before the voyage is ended; and all stipulations to the contrary shall be held as void. And when the voyage is ended every such seaman shall be entitled to the remainder of the wages which shall then be due him as provided in section 4529 of the Revised Statutes: *Provided*, That notwithstanding any release signed by any seaman under section 4552 of the Revised Statutes any court having jurisdiction may upon good cause shown set aside such release and take such action as justice shall require: *Provided further*, That this section shall apply to seamen on foreign vessels while in harbors of the United States, and the courts of the United States shall be open to such seamen for its enforcement."

SEC. 4. That section 4559 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4559. Upon a complaint in writing, signed by the first and second officers or a majority of the crew of any vessel, while in a foreign port, that such vessel is in an unsuitable condition to go to sea because she is leaky or insufficiently supplied with sails, rigging, anchors, or any other equipment, or that the crew is insufficient to man her, or that her provisions, stores, and supplies are not or have not been during the voyage sufficient or wholesome, thereupon, in any of these or like cases, the consular or a commercial agent who may discharge any of the duties of a consul shall cause to be appointed three persons of like qualifications with those described in section 4557, who shall proceed to examine into the cause of complaint and who shall proceed and be governed in all their proceedings as provided by said section."

SEC. 5. That section 2 of the act entitled "An act to amend the laws relating to navigation," approved March 3, 1897, be, and is hereby, amended to read as follows:

"SEC. 2. That on all merchant vessels of the United States the construction of which shall be begun after the passage of this act, except yachts, pilot boats, or vessels of less than 100 tons register, every place appropriated to the crew of the vessel shall have a space of not less than 100 cubic feet and not less than 16 square feet, measured on the floor or deck of that place, for each seaman or apprentice lodged therein, and each seaman shall have a berth for his exclusive use and not more than one berth shall be placed one above another; such place or lodging shall be securely constructed, properly lighted, drained, heated, and ventilated, properly protected from weather and sea, and, as far as practicable, properly shut off and protected from the effluvia of cargo or bilge water. And every such crew space shall be kept free from goods or stores not being the personal property of the crew occupying said place in use during the voyage."

"Every steamboat of the United States plying upon the Mississippi River or its tributaries shall furnish an appropriate place for the crew, which shall conform to the requirements of this section, so far as they are applicable thereto, by providing sleeping room in the engine room of such steamboat, properly protected from the cold, wind, and rain by means of suitable awnings or screens on either side of the guards or sides and forward, reaching from the boiler deck to the lower or main deck, under the direction and approval of the Supervising Inspector General of Steam Vessels, and shall be properly heated."

"All merchant vessels of the United States, the construction of which shall be begun after the passage of this act, having more than 10 men on deck must have for the use of the sailors at least one light, clean, and properly ventilated washing place. There shall be provided at least one washing outfit for every 2 men of the watch. The washing place shall be properly heated. A separate washing place shall be provided for the fireroom and engine-room men, if their number exceed 10, which shall be large enough to accommodate at least one-sixth of them at the same time, and have hot and cold water supply and a sufficient number of wash basins, sinks, and shower baths."

"Any failure to comply with this section shall subject the owner or owners of such vessels to a penalty of \$500: *Provided*, That forecasts shall be fumigated at such intervals as may be provided by regulations to be issued by the Surgeon General of the Public Health Service, with the approval of the Department of Commerce, and shall have at least two exits, one of which may be used in emergencies."

SEC. 6. That section 4596 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4596. Whenever any seaman who has been lawfully engaged or any apprentice to the sea service commits any of the following offenses he shall be punished as follows:

"First. For desertion, by forfeiture of all or any part of the clothes or effects he leaves on board and of all or any part of the wages or emoluments which he has then earned."

"Second. For neglecting or refusing without reasonable cause to join his vessel or to proceed to sea in his vessel or for absence without leave

at any time within 24 hours of the vessel's sailing from any port, either at the commencement or during the progress of the voyage, or for absence at any time without leave and without sufficient reason from his vessel and from his duty, not amounting to desertion, by forfeiture from his wages of not more than two days' pay or sufficient to defray any expenses which shall have been properly incurred in hiring a substitute."

"Third. For quitting the vessel, without leave, after her arrival at the port of her delivery and before she is placed in security, by forfeiture from his wages of not more than one month's pay."

"Fourth. For willful disobedience to any lawful command at sea, by being, at the option of the master, placed in irons until such disobedience shall cease, and upon arrival in port by forfeiture from his wages of not more than four days' pay, or, at the discretion of the court, by imprisonment for not more than one month."

"Fifth. For continued willful disobedience to lawful command or continued willful neglect of duty at sea, by being, at the option of the master, placed in irons, on bread and water, with full rations every fifth day, until such disobedience shall cease, and upon arrival in port by forfeiture, for every 24 hours' continuance of such disobedience or neglect, of a sum of not more than 12 days' pay, or by imprisonment for not more than 3 months, at the discretion of the court."

"Sixth. For assaulting any master or mate, by imprisonment for not more than two years."

"Seventh. For willfully damaging the vessel, or embezzling or willfully damaging any of the stores or cargo, by forfeiture out of his wages of a sum equal in amount to the loss thereby sustained, and also, at the discretion of the court, by imprisonment for not more than 12 months."

"Eighth. For any act of smuggling for which he is convicted and whereby loss or damage is occasioned to the master or owner, he shall be liable to pay such master or owner such a sum as is sufficient to reimburse the master or owner for such loss or damage, and the whole or any part of his wages may be retained in satisfaction or on account of such liability, and he shall be liable to imprisonment for a period of not more than 12 months: *Provided*, That in any suit to recover damages for any injury sustained on board vessel or in its service seamen having command shall not be held to be fellow servants with those under their authority."

SEC. 7. That section 4600 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4600. It shall be the duty of all consular officers to discountenance insubordination by every means in their power and, where the local authorities can be usefully employed for that purpose, to lend their aid and use their exertions to that end in the most effectual manner. In all cases where seamen or officers are accused, the consular officer shall inquire into the facts and proceed as provided in section 4583 of the Revised Statutes; and the officer discharging such seaman shall enter upon the crew list and shipping articles and official log the cause of such discharge and the particulars in which the cruel or unusual treatment consisted and subscribe his name thereto officially. He shall read the entry made in the official log to the master, and his reply thereto, if any, shall likewise be entered and subscribed in the same manner."

SEC. 8. That section 4611 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4611. Flogging and all other forms of corporal punishment are hereby prohibited on board of any vessel, and no form of corporal punishment on board of any vessel shall be deemed justifiable, and any master or other officer thereof who shall violate the aforesaid provisions of this section, or either thereof, shall be deemed guilty of a misdemeanor, punishable by imprisonment for not less than three months nor more than two years. Whenever any officer other than the master of such vessel shall violate any provision of this section it shall be the duty of such master to surrender such officer to the proper authorities as soon as practicable. Any failure on the part of such master to comply therewith, which failure shall result in the escape of such officer, shall render the master or the vessel liable in damages for such punishment to the person illegally punished by such officer."

SEC. 9. That section 23 of the act entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," approved December 21, 1898, be, and is hereby, amended as regards the items of water and butter, so that in lieu of a daily requirement of four quarts of water there shall be a requirement of five quarts of water every day, and in lieu of a daily requirement of 1 ounce of butter there shall be a requirement of 2 ounces of butter every day."

SEC. 10. That section 24 of the act entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," approved December 21, 1898, be, and is hereby, amended to read as follows:

"SEC. 24. That section 10 of chapter 121 of the laws of 1884, as amended by section 3 of chapter 421 of the laws of 1886, be, and is hereby, amended to read as follows:

"SEC. 10. (a) That it shall be, and is hereby, made unlawful in any case to pay any seaman wages in advance of the time when he has actually earned the same, or to pay such advance wages, or to make any order or note or any other evidence of indebtedness therefor to any other person, or to pay any person, for the shipment of seamen when payment is deducted or to be deducted from a seaman's wages. Any person violating any of the foregoing provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$25 nor more than \$100, and may also be imprisoned for a period of not exceeding six months, at the discretion of the court. The payment of such advance wages or allotment shall in no case, except as herein provided, absolve the vessel or the master or the owner thereof from the full payment of wages after the same shall have been actually earned, and shall be no defense to a libel suit or action for the recovery of such wages. If any person shall demand or receive, either directly or indirectly, from any seaman or other person seeking employment as seaman, or from any person on his behalf, any remuneration whatever for providing him with employment, he shall for every such offense be deemed guilty of a misdemeanor and shall be imprisoned not more than six months or fined not more than \$500."

"(b) That it shall be lawful for any seaman to stipulate in his shipping agreement for an allotment of any portion of the wages he may earn to his grandparents, parents, wife, sister, or children."

"(c) That no allotment shall be valid unless signed by and approved by the shipping commissioner. It shall be the duty of the said commissioner to examine such allotments and the parties to them and enforce compliance with the law. All stipulations for the allotment of any part of the wages of a seaman during his absence which are made at the commencement of the voyage shall be inserted in the agreement

and shall state the amounts and times of the payments to be made and the persons to whom the payments are to be made.

"(d) That no allotment except as provided for in this section shall be lawful. Any person who shall falsely claim to be such relation as above described of a seaman under this section shall for every such offense be punished by a fine not exceeding \$500 or imprisonment not exceeding six months, at the discretion of the court.

"(e) That this section shall apply as well to foreign vessels while in waters of the United States as to vessels of the United States, and any master, owner, consignee, or agent of any foreign vessel who has violated its provisions shall be liable to the same penalty that the master, owner, or agent of a vessel of the United States would be for similar violation.

"The master, owner, consignee, or agent of any foreign vessel seeking clearance from a port of the United States shall present his shipping articles at the office of clearance, and no clearance shall be granted any such vessel unless the provisions of this section have been complied with.

"(f) That under the direction of the Secretary of Commerce the Commissioner of Navigation shall make regulations to carry out this section."

SEC. 11. That section 4536 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4536. No wages due or accruing to any seaman or apprentice shall be subject to attachment or arrestment from any court, and every payment of wages to a seaman or apprentice shall be valid in law, notwithstanding any previous sale or assignment of wages or of any attachment, encumbrance, or arrestment thereon; and no assignment or sale of wages or of salvage made prior to the accruing thereof shall bind the party making the same except such allotments as are authorized by this title. This section shall apply to fishermen employed on fishing vessels as well as to other seamen: *Provided*, That nothing contained in this or any preceding section shall interfere with the order by any court regarding the payment by any seaman of any part of his wages for the support and maintenance of his wife and minor children."

SEC. 12. That no vessel of 100 tons gross and upward, except those navigating rivers exclusively and except as provided in section 1 of this act, shall be permitted to depart from any port of the United States unless she has on board a crew not less than 75 per cent of which, in each department thereof, are able to understand any order given by the officers of such vessel, nor unless 40 per cent in the first year, 45 per cent in the second year, 50 per cent in the third year, 55 per cent in the fourth year after the passage of this act, and thereafter 65 per cent of her deck crew, exclusive of licensed officers, are of a rating not less than able seaman: *Provided*, That no vessel carrying passengers, except those navigating rivers and harbors exclusively, shall be permitted to depart from any port of the United States unless she is provided and equipped with a sufficient number of seaworthy lifeboats to carry and transport at one time every passenger and every member of the crew licensed to be carried on board such vessel and unless she shall have a sufficient crew to man each lifeboat with not less than two men of the rating of able seaman or higher, who shall be drilled in the handling and lowering of lifeboats under rules and regulations to be prescribed by the Board of Supervising Inspectors with the approval of the Secretary of Commerce.

No person shall be rated as an able seaman unless he is 19 years of age or upward and has had at least three years' service on deck at sea or on the Great Lakes. Any person may make application to any board of local inspectors for a certificate of service as able seaman, and upon proof being made to said board by affidavit, under rule approved by the Secretary of Commerce, showing the nationality of the applicant and the vessel or vessels on which he has had service and that he has had at least three years' service on deck at sea or on the Great Lakes, the board of local inspectors shall issue to said applicant a certificate of service, which shall be retained by him and be accepted as prima facie evidence of his rating as an able seaman.

Each board of local inspectors shall keep a complete record of all certificates of service issued by them and to whom issued and shall keep on file the affidavits upon which said certificates are issued.

The collector of customs may, upon his own motion, and shall, upon the sworn information of any citizen of the United States setting forth that this section is not being complied with, cause a muster of the crew of any vessel to be made to determine the fact; and no clearance shall be given to any vessel failing to comply with the provisions of this section: *Provided*, That the collector of customs shall not be required to cause such muster of the crew to be made unless said sworn information has been filed with him for at least six hours before the vessel departs, or is scheduled to depart: *Provided further*, That any person that shall knowingly make a false affidavit for such purpose shall be deemed guilty of perjury, and upon conviction thereof shall be punished by a fine not exceeding \$500 or by imprisonment not exceeding one year, or by both such fine and imprisonment, within the discretion of the court. Any violation of any provision of this section shall subject the owner of such vessel to a penalty of not less than \$100 and not more than \$500.

SEC. 13. That the owner, agent, or master of every barge which, while in tow through the open sea, has sustained or caused any accident, shall be subject in all respects to the provisions of sections 10, 11, 12, and 13 of chapter 344 of the Statutes at Large, approved June 20, 1874, and the reports therein prescribed shall be transmitted by collectors of customs to the Secretary of Commerce, who shall transmit annually to Congress a summary of such reports during the previous fiscal year, together with a brief statement of the action of the department in respect to such accidents.

SEC. 14. That in the judgment of Congress articles in treaties and conventions of the United States, in so far as they provide for the arrest and imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of the United States in foreign countries, and for the arrest and imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of foreign nations in the United States and the Territories and possessions thereof, and for the cooperation, aid, and protection of competent legal authorities in effecting such arrest or imprisonment, ought to be terminated, and to this end the President be, and he is hereby, requested and directed, within 90 days after the passage of this act, to give notice to the several Governments, respectively, that so much as hereinbefore described of all such treaties and conventions between the United States and foreign Governments will terminate on the expiration of such periods after notices have been given as may be required in such treaties and conventions.

SEC. 15. That upon the expiration after notice of the periods required, respectively, by said treaties and conventions and of one year in the

case of the independent State of the Kongo, so much as hereinbefore described in each and every one of said articles shall be deemed and held to have expired and to be of no force and effect, and thereupon so much of sections 4081 and 5280 of the Revised Statutes as relates to the arrest or imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of foreign nations in the United States and Territories and possessions thereof, and for the cooperation, aid, and protection of competent legal authorities in effecting such arrest or imprisonment, shall be and is hereby repealed.

SEC. 16. That this act shall take effect, as to all vessels of the United States, 90 days after its passage, and as to foreign vessels 12 months after its passage, save and except that such parts hereof as provide for the abrogation of any stipulation by treaty or convention with any foreign nation shall only take effect after such notice, and at the expiration of such time as may be required by the terms of such treaty, stipulation, or convention.

SEC. 17. That section 16 of the act approved December 21, 1898, entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," be amended by adding at the end of the section the following:

"*Provided*, That at the discretion of the Secretary of Commerce, and under such regulations as he may prescribe, if any seaman incapacitated from service by injury or illness is on board a vessel so situated that a prompt discharge requiring the personal appearance of the master of the vessel before an American consul or consular agent is impracticable, such seaman may be sent to a consul or consular agent, who shall care for him and defray the cost of his maintenance and transportation, as provided in this paragraph."

SEC. 18. That section 5280, Revised Statutes, except as hereinbefore provided, be, and the same is hereby, repealed.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Wisconsin.

MR. LA FOLLETTE. Mr. President, I shall in a brief way present to the Senate the difference between the bill reported by the committee and the substitute which I have offered. I shall not discuss in great detail the difference between the two measures. It is apparent from the interest the Senate manifests in this legislation that the subject has been thoroughly studied, that Senators are well advised and have arrived at a definite conclusion as to the merits of the proposed measures. So I shall take the time of the Senate only to touch, as it were, the essential points of difference between the two measures.

The substitute provides for a nine-hour workday. The Nelson bill, reported by the committee, provides for a nine-hour workday, but admits of 12 hours, by adding a proviso that no seaman shall be called upon to do more than 12 hours' work in a day. This is a very adroit qualification of the limitation, and in effect means the establishment by law of a 12-hour workday for seamen, in port as well as at sea.

The substitute I have presented grants to a seaman one-half of the money earned and not paid to him in every port where the vessel loads or discharges cargo.

MR. BURTON. Mr. President, will the Senator from Wisconsin yield for a question?

MR. LA FOLLETTE. Mr. President, I should prefer to make my parallel of the two bills as I have set out to make it, and then submit to interruptions.

MR. BURTON. It is merely on this question of 12 hours' work.

MR. LA FOLLETTE. It is merely for the purpose of making a connected statement that I prefer to make it in this way. I shall be glad to be interrogated after I have concluded.

MR. BURTON. I give notice, then, that I shall wish to be heard as to the 12-hour provision.

MR. LA FOLLETTE. I anticipate that the Senator probably will wish to be heard upon all of the provisions of the substitute.

The substitute I have offered grants to a seaman one-half of the money earned and not paid to him in every port where the vessel loads or discharges cargo. This is made applicable to foreign vessels while in ports of the United States, and the courts of the United States are opened to the men to enforce the provision. The original bill seems to confer upon seamen on foreign ships the same privilege, but by a proviso it limits its application to foreign vessels owned in major part by American citizens, corporations, or holding companies. It is in main part by its provisos and exceptions that the bill reported by the committee takes away from the seamen on foreign ships the benefits which the body of the measure professes to confer upon them.

Consider this particular proviso in practical operation. The seamen do not know how a vessel is owned. If a seaman demanded a part of his wages under this proviso, the master could deny it on the ground that the vessel was not owned in major part by American capital. The seaman would be in no position to disprove the statement if it was not true, and the effect would be to deny to him altogether the benefits sought to be conferred by this section.

The substitute I have offered provides a certain amount of forecabin space and compels the installation of sanitary conveniences in vessels having a crew of 10 or more on deck. The bill reported by the committee limits this provision to vessels carrying 20 men or more on deck. I suppose there is not a

Senator here who has any idea of how significant is that limitation of the crew in the bill. How many men would be benefited by it, or how many men would be excluded from the benefits it proposes to confer. As a matter of fact, there are not a dozen vessels under the American flag to which the provision would apply in the form in which it is reported from the committee. Think of that. Here is a provision ostensibly for the benefit of American seamen, and then so limiting it that it would be applicable to only a dozen vessels.

The substitute I have offered provides a standard of efficiency for seamen, under which they are to be designated as "able seaman." An able seaman is defined to be one who is not under 19 years of age and who has had three years' experience on deck at sea or on the Great Lakes.

That is the lowest standard set by any modern foreign statute. The substitute provides that not less than two men of the grade of able seaman, or men of higher rating, shall be provided for each lifeboat. The substitute provides that every vessel before it shall be permitted to put to sea shall have an equipment of lifeboats sufficient to carry at one time all of the people on board—passengers, officers, sailors, everybody. Then it provides as a standard of efficiency for the crew that there shall be two men for each of those lifeboats who are able seamen; that is two men 19 years of age or older who have been at least three years on deck at sea or on the Great Lakes.

The substitute makes another provision, and without meeting its requirements no vessel is to be permitted to go to sea unless at least 75 per cent of the crew shall be able to understand every order issued by an officer in command. The substitute makes another requirement, and that is that, starting at 40 per cent and increasing 5 per cent a year, the crew on deck shall be able seamen, until at the beginning of the fifth year 65 per cent of the crew of every vessel that leaves an American port shall be able seamen.

Now, let us assemble those requirements. In the first place, 75 per cent of the crew in each department must be able to understand every order issued to them. This would compel at least 75 per cent of the crew on deck to understand the language of the officers. So far as men are concerned, the deck crew is the part of the equipment of every vessel responsible for its safe navigation. It is not those who are down in the hold, not those who are in the engine room, who see nothing, who know nothing about the condition of the vessel except as they are informed by the tap of a bell. It is the men on deck who see, who know, who are there to respond and to meet conditions—the men who are trained to study the face of the ocean and the sky, and to interpret their meaning. Those are the men who are charged, and must really be charged, with the safe navigation of the vessel.

The substitute provides that when a vessel puts to sea 75 per cent of the crew, to begin with—not only those on deck, but those in every department—shall understand the language of the officers of the boat, so that they can understand and comprehend the orders. Assuming the officers of the vessel to be Americans and to speak the English language, 75 per cent of the crew in every department are required to understand enough of English to be able to comprehend the orders.

That is requirement No. 1. Is that unreasonable? The committee bill has no requirement of that character. The committee bill provides that the men at the wheel and on the lookout shall be able to understand English; that is all. It provides that there shall be enough men on board who can act as interpreters to have one interpreter assigned to each lifeboat. It does not provide for the number of lifeboats, but it provides that there shall be assigned to each lifeboat one interpreter who can translate the orders of the officers when they are given to the crew; that is all.

While I am on that subject I might just as well dispose of it. Just conceive what that means! Suppose a vessel is at sea, in a storm, in a collision; it has encountered an iceberg, as the *Titanic* did; it has met some foreign boat, manned by Chinese stupefied by opium. They have not obeyed the rule of the road on the sea. There is a collision. The vessel is loaded with passengers. The shock has gone through the great craft. Perhaps it is at midnight; everywhere is consternation, confusion, and excitement. An officer is on the bridge. Let us suppose for a minute that this vessel is equipped under the committee bill. What has it?

It may have a crew representing many nationalities. It may have and comply with the terms of the committee bill some from the Mediterranean, some from India, some from South Africa, some from Germany, some from the Netherlands, some from China, and some from Japan. They know no word of English. One group can not communicate or converse with or have intercourse intelligently with the other. But that crew complies

with the terms of the bill that the committee has reported to the Senate, if for every lifeboat there is a man who can interpret between the commander and all these representatives of different nations. He can communicate pretty well with the German, not so well with the Frenchman who happens to be in the crew, not half so well with the man from Turkey, but he has got along well enough so that the inspector has passed him as an interpreter for a lifeboat crew.

Suppose he was the best interpreter on earth and had only one language which he had to use besides that of the officer of the vessel in order to have the lifeboat crew understand what they were to do, just think for a minute of having to pass orders at a time like that through an interpreter. There are lawyers sitting on this floor this afternoon who have been in court and observed the interpreter, the best man who could be selected in the county, serving as a translator between the witness and the court and the jury. They have seen him surrounded by perfect order and all of the conditions that would give him the very best exercise of all his faculties, and they have seen him troubled to get the right word to convey the meaning. But here at sea, the vessel with her side stove in, it may be, no one knows whether she can be kept afloat for even an hour, orders are to be given, and have to be understood, and have to be executed upon the instant. The officer is on the bridge. The men are at the lifeboats. He issues his orders for lifeboat No. 1 in this language or lifeboat No. 2 in that, and so on; and even if there should be no mistake there is the necessary delay until the order can be thoroughly understood in the language in which it is issued before it can be translated into the language of the crew.

Now, Mr. President, is there any reason for that? There is not, except in the interest of the men who own the steamships. That is all. The paragraph of the substitute providing that 75 per cent of the crew in each department of a vessel shall understand the language of the officers has been opposed solely in the interest and for the benefit of the great capital that is in control of the large steamship lines and is behind the organized opposition to proper legislation in behalf of the preservation of life at sea. It stood in the way successfully here in the Senate and over in the other end of the Capitol for 20 years in defeating legislation. It shall prevail no longer. Justice at last shall have a day.

It must appeal to the intelligence and to the conscience of every Senator here that at least three-fourths of the crew in every department shall be able to understand the orders of the officers of the vessel. That is reasonable. That is what the substitute provides.

Mr. President, the next provision for efficiency in the substitute is that for the first year after the passage of this bill, if it shall pass, 40 per cent of the deck crew, exclusive of the licensed officers, shall be sailors of a rating not less than "able seaman." Forty per cent for the first year is not enough. In the opinion of men who have investigated and who have by study of this great subject become authorities on the subject. No man has ever suggested that a crew less than three-fourths of the total crew on deck should be able seamen. When the seamen prepared their bill—and they are interested in safety for themselves, to begin with—they wrote into their bill that 75 per cent of the crew should be able seamen. But, oh, they have been harried and delayed and worn out by the committees of Congress who have been pliant to the steamship companies. So in the hope of getting through their measure they said, "We will start with 40 per cent on deck who are able seamen for the first year"; the second year, 45; the third year, 50; the fourth year, 55; and so on up finally until they achieve 65 per cent, and they have said: "We will accept 65 per cent of the crew, if able seamen, as providing reasonable safety."

Mr. SMOOT. Will the Senator excuse me for interrupting him?

Mr. LA FOLLETTE. Certainly.

Mr. SMOOT. I should like to ask the Senator if the same requirements are made of able seamen for the crew that are made for able seamen for the lifeboats?

Mr. LA FOLLETTE. Of which bill does the Senator speak?

Mr. SMOOT. Of your substitute.

Mr. LA FOLLETTE. If I may just continue the parallel, the bill of the Senate committee does not require that men who are assigned as efficient lifeboat hands shall be able seamen. It requires only that the men shall be efficient lifeboat men before the boat is permitted to sail, and that there shall be two of them to each lifeboat, but it does not require that those men shall have had experience of a day on deck at sea. If before the inspectors in a harbor they have passed an examination in drill work, in swinging out a lifeboat and lowering it, they shall be held to be accepted as efficient lifeboat men.

I take it that almost everybody here has seen on the stage and elsewhere men drilled to the highest proficiency in the manual of arms. It is wonderful to see what they could do. But if you were going to put a regiment in a position where it would be tested to the last limit and where everything depended upon how it should acquit itself, would you take these parade fellows or would you take veterans, men who had smelt powder, men who had seen service on the field?

That illustrates the difference, Mr. President, in the two bills with respect to the efficiency of the seamen. The committee bill provides that if these men can give an exhibition drill in manning lifeboats in harbor in calm water, for that is where it would have to take place, and if they are proficient there, then they are accepted as efficient lifeboat men.

But, oh, how little that tells, Mr. President, as to what they will do in the hour of danger in midocean. But the man who has had three years on deck must have something additional to argue for him. He must have encountered some storms. He at least may have had opportunity to learn to handle the lifeboat in the open sea.

The substitute provides also, Mr. President, that there shall be two of these men for each lifeboat, not that they shall be efficient lifeboat men according to the standard fixed by the reported bill—that is, men who have just passed an examination before the inspectors on what I call a parade drill—but it provides that before the vessel can go out to sea there shall be two men for every lifeboat who are able seamen, who have had three years on deck at sea or on the Great Lakes. In addition, it provides that the inspectors shall put these men to the test and examine them.

Mr. SMOOT. I should like to have the Senator answer one question. He must have misunderstood me. In his substitute the requirement of an able seaman for a lifeboat is named. It is also required that 40 per cent and 50 and 55 per cent and up to 65 per cent of the crew shall be able seamen, but it does not state what shall constitute an able seaman. The reason why I asked the question was to learn from the Senator if the able seaman in one instance is exactly the same as the able seaman in the other, and if the requirements are the same for both.

Mr. LA FOLLETTE. Precisely. The substitute defines what able seamen shall be, that an able seaman shall be one who has had three years on deck at sea or on the Great Lakes. An able seaman assigned to a lifeboat must have those qualifications. In addition, the substitute provides that he shall pass the required examination, so that the inspector after putting him to the test can satisfy himself of the ability of the applicant to perform this work.

Now, then, returning to the point where I was when I digressed, the substitute requires that 75 per cent of each crew shall be able to understand the language of the officers, so as to comprehend every order; that is, not only the crew on deck, but the crew in every department.

Besides this, if this bill should become a law, in the first year 40 per cent of the crew on deck must be of a rating not less than able seamen; that is, at least 40 per cent of the crew must have had three years at sea on deck or on the Great Lakes, and must be 19 years of age or over. The second year that is increased 5 per cent, and it is increased 5 per cent each year until 65 per cent of the crew on deck shall be able seamen.

The substitute bill provides, in the first place, and the committee bill makes no provision in that respect, that there shall be lifeboats enough to carry at one time all the people on board the vessel.

Then, before the vessel is permitted to go to sea, it shall be ascertained that there are able seamen enough to provide two able seamen for every lifeboat. These men are required to meet the demands of the inspectors as to drill and efficiency, as shown under actual tests required of them before the vessel goes to sea.

Contrast that with the requirements of the committee bill. The committee bill has the same requirement, but with a proviso that if the vessel has one interpreter for every lifeboat the crew can be of men who do not understand the language of the officers.

The committee bill requires only enough able seamen to furnish a lookout and a quartermaster or wheelman. The latter terms are interchangeable. Three watches are required, so that six men in all are required by the committee bill to be able seamen.

But so tender was this committee, Mr. President, of the ship-owners and the steamship companies, so fearful were they that they were imposing too great burdens upon these companies by that requirement, that they provide if the board of inspectors examine these wheelmen and lookouts and say they are competent then the three years' service at sea will be waived, and one year's service at sea or on the Great Lakes is declared to be

sufficient to entitle the applicant to a rating as an able seaman. They also waive the limit of 19 years and say that an 18-year-old boy will be accepted. Mr. President, if legislation of that character be enacted, it will not be creditable to the Congress of the United States.

Mr. CUMMINS. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. LA FOLLETTE. I do.

Mr. CUMMINS. I should like to be able to compare two of the requirements of the substitute bill. I have not enough information of my own to enable me to institute the comparison, and therefore I ask the question. I mean the requirements; first, that there shall be 40 per cent of the deck crew able seamen to begin with; and second, that there shall be enough able seamen to provide two for each lifeboat. My knowledge of the sea is rather limited; but, take a boat that with passengers and crew and everybody will carry 1,500 people. That is a reasonably good-sized boat, but not very large for these days. How many lifeboats would be required on such a boat? Suppose there is no standard either for a lifeboat, but there would be 50 or 60 or 70 lifeboats—

Mr. LA FOLLETTE. Perhaps it will help to an understanding of the question submitted by the Senator from Iowa to revert to the *Titanic*. The *Titanic* had 2,201 people on board. Of that number 885 were crew. She had 14 lifeboats. She had some life rafts and some collapsible lifeboats. These are not standard lifeboats. She had only 14 lifeboats, each capable of carrying 65 people.

If she had been required to have a lifeboat capacity to secure every person accommodation who was on the *Titanic* at the time she went to the bottom, she would have required only 34 lifeboats. That would have required a deck crew of 68 of the rating of able seamen or higher. The *Titanic* had at least 8 officers, so that she would only have had to have 60 able seamen in the crew. She had a total crew of 885. Oh, what a small percentage of the total would have manned each lifeboat with 2 able seamen. Does that aid the Senator from Iowa?

Mr. CUMMINS. Yes; very much. I did not suppose that the ordinary lifeboat, however, was quite so large.

Mr. LA FOLLETTE. The information as to the size of these lifeboats is from the report of the Senate committee on the *Titanic*. Perhaps the ordinary lifeboat might be smaller, but the lifeboats of the *Titanic* held 65.

Mr. CUMMINS. I supposed the ordinary lifeboat would carry about 40 people. I have heard it remarked about the Chamber that there was an inconsistency between the requirement of 40 per cent, to begin with, of able seamen and the requirement of two for each lifeboat. I wanted the Senator from Wisconsin to clear up that question before he left that phase of the subject. That was the reason for my question.

Mr. FLETCHER. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Florida?

Mr. LA FOLLETTE. In just a moment. Let me reply, if the Senator please, first to the Senator from Iowa.

The bill provides that at least 40 per cent for the first year shall be able seamen, and, in entire harmony with that phraseology, it provides that not less than two able seamen shall be shipped for every lifeboat, and that there shall be lifeboats enough for all the crew and all the passengers.

Mr. WILLIAMS. What was the number of the crew of the *Titanic*?

Mr. LA FOLLETTE. The crew of the *Titanic* numbered 885.

Mr. CUMMINS. I had reached the conclusion myself that 40 per cent of the crew would in no case probably be fewer men than two for each lifeboat necessary to carry all the people on board, but there seemed to be some doubt about that in the minds of some Senators.

Mr. LA FOLLETTE. Mr. President, of course I am a land-lubber and have to take my tutelage from those men who have been at sea. I never shall be able to express my very great obligation to Andrew Furuseth, who for the last four years has called upon me almost every Sunday morning to talk with me about this legislation. Andrew Furuseth is a sailor. He is a Norwegian Americanized, one of the most intelligent men it has ever been my good fortune to meet. For 19 years he has been sitting up there in that corner of the gallery waiting to be made free. Whatever I happen to know about this subject I have acquired from talking with him. I am confident that the minimum crew of 40 would in practically every case furnish two able seamen for each lifeboat; but, Mr. President, if it did not, the requirement for the two able seamen for each lifeboat would control.

Mr. WILLIAMS. If the Senator will pardon me, it depends upon the size of the crew as to a comparison between the two. If you take a ship with a crew of 885, of course 40 per cent would far exceed the requirement for the lifeboats.

Mr. LA FOLLETTE. Oh, yes.

Mr. WILLIAMS. And if you take a small ship, with a very small crew, the requirement for lifeboats would exceed 40 per cent. As I understand the Senator's substitute, there must be not less than 40 per cent, and there must be not less than two for each lifeboat.

Mr. LA FOLLETTE. That is it; exactly.

Mr. SMOOT. I may misunderstand it, but I was going to ask the Senator if the bill does not provide that there shall be not only two for each lifeboat but that there shall be 40 per cent besides?

Mr. LA FOLLETTE. No; I do not so understand it. I understand that the requirement of two for each lifeboat is absolute and that the 40 per cent requirement is absolute; but if the 40 per cent did not furnish two for each lifeboat, the two for each lifeboat would have to be forthcoming before the vessel would be permitted to sail.

Mr. WILLIAMS. And if two for each lifeboat did not furnish 40 per cent, the 40 per cent would also have to be forthcoming. It depends altogether upon the point of view. For the *Titanic* it would require three hundred and fifty-odd able seamen.

Mr. SMOOT. Three hundred and fifty-four.

Mr. WILLIAMS. Yes; and only two for each lifeboat.

Mr. SMOOT. The way I construe it, though I may be mistaken, is that it requires two able seamen for each lifeboat and 40 per cent of the crew must be able seamen. That is the reason why I asked the Senator the question.

Mr. LA FOLLETTE. I beg pardon of the Senator from Mississippi. The *Titanic* would not have been required to have had the very large number of able seamen he has mentioned—354, I think—because the provision of this substitute is that the number of able seamen shall be a percentage of the deck crew, not the entire crew. If the percentage of the deck crew be not sufficient to furnish two able seamen or men of higher rating for each lifeboat, it is required that additional able seamen be shipped so as to provide two for each lifeboat.

Mr. WILLIAMS. What was the entire deck crew of the *Titanic*?

Mr. LA FOLLETTE. The *Titanic* had a crew of 66 in her deck department. The fireroom and engine-room crews numbered something over 300. Then, of course, there were the stewards, the waiters, and others to the number of over 400.

Mr. WILLIAMS. When you speak of the crew, I take it for granted that you mean the sailormen. When you refer to the waiters, the stewards, and everybody else, of course that is an entirely different proposition.

Mr. LA FOLLETTE. But they are classified as crew.

Mr. WILLIAMS. If there were only 66 deck crew, then the 40 per cent would have been only 27 men, or, accurately speaking, it would have been 26.4 men, but as you can not divide a man into tenths you would have to put it at 27. Two for each lifeboat would have required 68, which is more than she had in the deck crew.

Mr. LA FOLLETTE. Yes; but she ought to have had more.

Mr. SMOOT. Does the Senator construe the language which I shall now read as meaning deck crew only? Section 12, on page 17, says:

That no vessel of 100 tons gross and upward, except those navigating rivers exclusively and except as provided in section 1 of this act, shall be permitted to depart from any port of the United States unless she has on board a crew not less than 75 per cent of which, in each department thereof, are able to understand any order given by the officers of such vessel—

Does the Senator think that that applies only to the deck crew?

Mr. LA FOLLETTE. No; the requirement that 75 per cent shall understand English applies to the whole crew and to each department of the crew; but when you come to speak of able seamen, then the provision is limited to the deck crew, and 40 per cent of the deck crew are required to be able seamen the first year.

Mr. SMOOT. Then the section goes on—

nor unless 40 per cent in the first year, 45 per cent in the second year, 50 per cent in the third year, 55 per cent in the fourth year after the passage of this act, and thereafter 65 per cent of her deck crew—

That is the provision in regard to the number of able seamen required to constitute the deck crew.

Mr. LA FOLLETTE. That explains it and makes it perfectly clear.

Mr. President, I do not remember at just what point I was interrupted; but, as I now recall, the Senator from Iowa [Mr.

CUMMINS] asked me a question, and I am not certain whether or not I have answered it.

Mr. CUMMINS. I think the Senator has probably done so.

The PRESIDING OFFICER (Mr. KERN in the chair). Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. CUMMINS. I wanted to see whether the 40 per cent requirement would really ever be applicable or not. I had an idea that if you required for every boat two able seamen—and I thoroughly agree with that requirement for every lifeboat—and enough lifeboats to carry every soul on board, able seamen generally would constitute more than 40 per cent of the deck crew. I am not familiar enough with the different kinds of boats and the different ways in which they are equipped to have a very clear idea about it, but I was wondering whether the provision of 40 per cent ought not to be increased rather than diminished.

Mr. LA FOLLETTE. This 40 to 65 per cent provision will be applicable mainly to freight vessels and to vessels carrying a small number of passengers. Now, Mr. President, I will say that when this bill was introduced representing the best judgment of the men who know the sea as we know our law offices it provided that there should be not less than 75 per cent who were able seamen. However, these men have been worn down and discouraged by the delay, opposition, and harassments of a 20 years' contest, so that, in the hope finally of securing freedom, of raising their calling or business somewhat above serfdom, and of protecting their lives at sea and the lives of those for whom they are responsible, in order to get something better than the existing law, they have yielded and cut this percentage down from 75 per cent to 65 per cent, and from 65 per cent to 60 per cent, and from 60 per cent to 55 per cent, and from 55 per cent to 45 per cent, and finally down to 40 per cent, so that this legislation might get by the committees of Congress.

They consented to this, as it was only by agreeing to a low percentage that they could secure a report on some bill in which they could see some hope of relief and get a plank on which they might float while waiting and hoping for something better in the future.

Mr. SUTHERLAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. I do.

Mr. SUTHERLAND. Following up the suggestion made by the Senator from Iowa [Mr. CUMMINS], which I understood to be that the requirement that there should be two able seamen for each lifeboat would exceed the 40 per cent requirement, I ask the Senator from Wisconsin whether or not, upon vessels like the *Titanic* or any of the large passenger vessels where the requirements for lifeboats would be very large, it would not be true ordinarily that two men for each lifeboat would exceed 40 per cent, but upon boats which are largely used for freight service, carrying few passengers, the 40 per cent would exceed the two for each lifeboat, and would not that be true very largely in the coastwise service?

Mr. LA FOLLETTE. I think, perhaps, that might be true in the coastwise service, except on vessels carrying a large number of passengers. In the ocean service on the large passenger steamships I am quite sure that, starting with 40 per cent, you would not have enough men to equip the lifeboats; but, of course, the lifeboat provision here is absolute and controlling, and would provide a sufficient number. In the case of the *Titanic* there were just 66 in the deck department. It would have required 2 more—68—if they had been able seamen, to have had a number sufficient to have manned 34 lifeboats; and 34 lifeboats would have carried all the passengers and all the crew on that ill-fated vessel.

Mr. WILLIAMS. Lifeboats carrying 65 passengers each are very large lifeboats.

Mr. LA FOLLETTE. Yes, sir; I suppose they were very large. I have noticed that in some cases more than 65 people were safely taken away on lifeboats.

Mr. WILLIAMS. They were crowded.

Mr. LA FOLLETTE. Yes; that is true. The Senator from Iowa and the Senator from Utah, however, will understand how it happens that the able-seamen requirement of the substitute has finally been cut down to 40 per cent for the first year. It did not start that way, and that does not express the judgment of Mr. Furuseth and of the men who have really given their lives to working out along this line something for the betterment of the sailors and at the same time for the greater safety of the people of this country; but this bill was the best they could hope to secure.

I have done a good deal of work on this subject. I have read almost everything I could get hold of that pertained to it,

besides spending a great deal of time with Mr. Furuseth. The substitute does not go so far as I think public safety requires, but I have offered it in this form simply because committees in the other House have reported it and it has passed in this form. We should understand how difficult it is to secure legislation and to have the minds of two great legislative bodies agree upon the details of legislation. We know the value of having a bill which has been accepted by one House. This bill in substantially this form has been accepted in the other House. I have added a few things to it. I have added the lifeboat provision. I think it ought to be in the bill and that it will be accepted; I do not believe that provision will endanger the bill. I have added to it two provisions of minor importance which have been recommended by the Secretary of Commerce and the Secretary of Labor, which I think will create no trouble; but otherwise I have taken the bill just as it passed the House two years ago. I have offered it simply because the enactment of this legislation should not be delayed one moment longer for any reason. We can not hold it up any longer without assuming responsibility for whatever may happen to-morrow and to-morrow and to-morrow.

Mr. President, I have stated the requirements of an efficient equipment under the substitute bill. I had given part of the requirements of an efficient equipment under the committee bill when I was diverted by a question and I now return to that subject.

I have commented on the effect of having to pass in an hour of supreme danger the orders of the man on the bridge through an interpreter to those who are to man the lifeboats. Mr. President, just think of it; in a lifeboat, perhaps one into which, say, your daughter or your son is to go, you can not go with them; the conditions may be such that they must go alone, with the fury of an ocean storm all about them, with the vessel every moment settling lower and lower; they must go over the side into a lifeboat in the crew of which there is a Turk, a Chinese, a Jap, a Greek, a negro from South Africa, a Hungarian, and an Arabian. Under the committee bill there will be two of what are called efficient lifeboat men, not men who are able seamen, not men experienced at sea, but men who have passed the drills; one man in the boat who can interpret between the commanding officer and all the languages represented there. Some of them may understand, to some of them it may be gibberish, for all the interpreter has to do is to pass the scrutiny of the inspector.

The lowering of that lifeboat, an act requiring the greatest skill, the greatest knowledge of the sea, is in the hands, under the Senate committee bill, of two men, not able seamen, but who may be from the saloon or the fireroom, but who have been certified as efficient lifeboat men, one in the bow and one in the stern, holding the tackle. The remainder of the boat crew need not have any training; they may be waiters from the saloon. These may have 65 or 70 souls committed to their keeping. They are being lowered away under orders from the deck which none but the interpreter can understand, excepting when the order is translated as many times as there are languages represented in the lifeboat crew. What do you think about that?

Let me ask the Senator from Mississippi, suppose he had a boat of that kind on one side of the vessel, and on the other side of the vessel you had a boat manned by two able seamen, two men who had had three years at sea, and a crew who understood the language of the officers, which would he prefer? Under the substitute you would surely have that many able seamen in the boat and there would be a chance of having others, because there is provided in the substitute bill a standard of efficiency which requires at least two able seamen for every lifeboat. There is then a possibility of there being a man down in the engine room who has been at sea and who has acquired some knowledge of the sea. There may be also more men in the lifeboat having knowledge of the sea, but you are sure of the two—the man at the helm and the man at the bow. I am told that in a lifeboat those are the vital places. The ropes must be released just right; the boat must be lowered to meet the sea at the critical moment. This means life or death. Boats were crushed against the side of the *Volturno*; boats were swept down under the stern of the *Volturno* and never appeared again.

You can lower away a boat in a very high gale, and if you strike the water at just the time that judgment and experience and intelligence will tell you is the proper moment, you drop it in a comparative calm; you drop it at a time when you catch the wash just right, and the boat does not crash against the side of the vessel and crumple like an eggshell; she goes where she should go; she gets away.

I spoke here the other day of the way of the sea, something which has been impressed upon me again and again in talks with Mr. Furuseth. That is the reason why it means every-

thing to have able seamen on deck. Men never can become able seamen by remaining in the engine room. Take the deck crew of the *Titanic*. How many men were there? That was a modern steamer, but there were only 66 men in the deck department, 325 men in the engine department, and 494—nearly 500—men in the victualing department. Those men never had an opportunity, unless they acquired it before they went on that vessel, of knowing anything about the sea. You have to look the sea in the face to know it; you have to study the sea and the sky together to know the sea; you have to observe the sea in all her moods to know the sea and to know how to grapple and wrestle with and overcome her.

Take a vessel manned by men who know the sea. She throws her head up to the coming storm; she meets every mass of water hurled at her as does the fencer in the arena the thrusts of his adversary. She has been warned, if she is in charge of able seamen, of the coming of the storm. Their weather-beaten faces have been turned skyward; they know the sea; they know the sky; and when the hour comes that in all its fury the raging storm breaks, their boat is prepared for it. Stripped like an athlete, she turns to meet it. Every man, too, is at his place and sure of himself. They are able seamen; they are not landlubbers; they are not afraid, and, oh, what their confidence is to the whole mass of humanity on the vessel! If there should come something unforeseen, perhaps some vessel in the same lane of travel driven by the storm, not obeying the rules that should control all sea travel, and it meets and wounds her to death, the perfectly managed and perfectly officered and manned vessel, when that hour comes, is prepared and cares not only for its crew, but for all intrusted to their keeping. How important, then, it is that there should be confidence on the part of all on board in the officers who understand their business and in the men who understand the officers and execute instantly every order issued; and prompt obedience to orders sometimes settles the fate of a vessel and decides the whole issue.

Mr. President, it seems like an insult to the intelligence of the Senate and trifling with a great piece of legislation to stand here and argue for things that are so manifestly right and against things that are so manifestly wrong. Travel on a well-officered vessel, manned by able seamen, with lifeboats to bear all on board, should be as safe as travel on land.

It will do us no good, Mr. President, so to equip, so to man, and so to regulate our merchant marine if all the craft that we meet on the watery way shall be undermanned, controlled by ignorance, and sailed by the very lowest element in all humanity. So the substitute goes to the extent of providing that all foreign vessels which operate to our ports must also meet the requirements imposed by the bill. As well might you enact nothing as to leave that out. One-tenth of the commerce which we have with the world is carried on in American vessels; 90 per cent of it in foreign vessels. If you do not extend the same requirements imposed upon American merchant marine to foreign vessels in our ports, you might as well prepare to see that one-tenth disappear. To put our shipping on an even keel and level with the foreign competitor the foreigner must be required to conform to the restrictions imposed upon our own ships when he leaves American ports. He bids against them in the carrying of freight from our ports. Then let him man his vessel just as we require our vessels to be manned. So it is provided in the substitute that it shall apply, as it should apply, to all foreign vessels in our ports.

Our Supreme Court has settled the question, as will be found in One hundred and ninetieth Supreme Court Reports, that we have the absolute authority to prescribe the conditions upon which foreign vessels may sail from our ports. In that opinion the court referred to the fact that nearly all the legislation that aims to improve the conditions of the American seamen would be utterly futile and would be prejudicial to the American merchant marine if foreign vessels trading in our ports were not required to meet exactly the same conditions.

Mr. President, I have very imperfectly presented the two bills, and have only touched upon one or two paragraphs of them; but I went to that which to me seemed to be the part most important to be considered.

I beg the pardon of the Senator from Florida. He rose to ask me a question some time ago. If it is not too late, I shall be very glad to yield to him.

Mr. FLETCHER. No; I do not care to interrupt the Senator now. I think the matter has been sufficiently covered in his discussion.

Mr. LA FOLLETTE. Mr. President, if there is any discussion in opposition, I will not say necessarily to the substitute, but to any legislation at this time, I apprehend it will come from the Senator from Ohio [Mr. BURTON], and that in part, at least,

or to begin with, it will be the presentation of an objection to taking up this subject at all at this time in view of the proposed international maritime conference. I judge that from some observations he submitted on Wednesday or Thursday of last week.

I do not know that I care to say very much, if anything, about that matter at this time. I believe, in view of the situation as it exists to-day, this Government of ours should not wait upon anybody to mark out a line of policy for us to follow. Some things are so plain, and they are the things that are set out in this bill, that I believe there is no warrant whatever for asking for any postponement of legislation on the subjects covered in the bill as reported and in the substitute.

Mr. MARTINE of New Jersey. Mr. President, will the Senator yield to me for a question?

Mr. LA FOLLETTE. Certainly.

Mr. MARTINE of New Jersey. I beg to say that I am very much interested in this matter. I have received some letters asking that action be deferred until the action of an international conference. I am frank to say that I do not know when that international conference is expected to be held.

Mr. LA FOLLETTE. In November.

Mr. BURTON. The 12th of November.

Mr. LA FOLLETTE. I will say to the Senator that it begins on the 12th of November.

Mr. WILLIAMS. And there is no knowing when it will end.

Mr. LA FOLLETTE. There is no knowing anything about how long it will last. It may last a month.

Mr. MARTINE of New Jersey. It may last a year.

Mr. LA FOLLETTE. It may be adjourned. I will say to the Senator from New Jersey that it seems to have come out of the *Titanic* disaster. The proposal to hold the conference followed the *Titanic* disaster.

Mr. MARTINE of New Jersey. Action on this bill, I presume, could not in anywise prejudice the result of the conference that might be held in November?

Mr. LA FOLLETTE. I do not think it could. Indeed, I think the enactment of this legislation might be helpful in that conference. There are a few standards that I think are so plain and so right that we should set them up without consulting anybody on earth. One is that the sailors shall be free. If our representatives in that meeting can go into it saying that the Senate of the United States, one branch of Congress, has at least declared for emancipating from slavery the men on the sea, perhaps that will help somewhat to lift up the other countries to that level.

Mr. MARTINE of New Jersey. I will say that I am very much in sympathy with that view. My own judgment is that it could not retard the betterment of the situation, and that it would be at least a step in the right direction to pass the bill at this time. I shall vote for the bill with a very great deal of relish and earnestness.

Mr. LA FOLLETTE. Mr. President, in 1894 the British Parliament appointed what they called a commission to investigate conditions pertaining to the British merchant marine. I believe, strictly speaking, the act provided that the board of trade should appoint a committee. In my reading on that subject I find that Mr. Bryce presided over some of the meetings of the board of trade that appointed the committee that made this investigation. It was in many ways a remarkable investigation. The commission consisted of 14 men. Some of them were members of Parliament; some of them were shipowners. The commission was a very high-class one. They spent two years, down to 1896, in investigating conditions, the troubles and the deterioration that had befallen the merchant marine of Great Britain. After two years of very careful investigation they made a most valuable report.

Perhaps at some later time, if this discussion is at all extended, I shall wish to call the attention of the Senate to that report. It is very enlightening and instructive. It shows the same struggle over there that we have had here. It shows the control of legislation by the shipowners. It deals with the question of insurance. There has been going on, of course, for decades and decades a system of insuring vessels and sending them to sea, with the seamen on board, to go to the bottom. That is what has been going on. Books have been written upon it. Investigations have been had, the reading of which would chill your blood.

The same influences which have controlled legislation in the United States Congress for 20 years, holding back everything here that was in the public interest, have to a large extent controlled legislation in every maritime country. The recommendations made by the British commission after an investigation of two years have been only very partially carried out. Yet they were

so plainly right and in accord with all of the intelligent findings of every Government on earth that has investigated the subject that you marvel that it has been in anybody's power to resist and prevent their enactment into law.

I adverted to this commission at this time for just one reason. The commission of 1894, which reported in 1896, made certain very strong recommendations. I shall not detain the Senate to refer to these now. If it becomes necessary in the debate later, I shall do so. One of those recommendations, however, is as follows:

We think it very desirable that Her Majesty's Government should take steps to invite the cooperation of maritime States to consider how far it may be possible to agree with them on identical rules for the manning of merchant vessels, and the steps to be mutually taken for enforcing such regulations.

Now, here is the point:

But we are of opinion that there should be no delay in putting a manning scheme into practice by reason of inviting such cooperation.

You may invite the foreign powers to meet us to consider what may be done better to save life at sea, but in the meantime uncertain as to what the outcome may be. We know perfectly well that out of 14 Governments represented the views of many must be very different from the views of this country, the most enlightened and progressive country on the face of the earth. We know that what comes out of that sort of a conference must be a general average, a leveling up and a leveling down. While our and other people perish at sea, shall this progressive and enlightened country wait for the report of this conference, which may sit next month and adjourn and sit again and adjourn, and which at best will arrive at some conclusion that will be a compromise?

On the great essentials embodied in this legislation let us plant the American standard on high, safe, secure ground that shall commend us to all the people of the world as an enlightened, humane, courageous, liberty-loving nation.

Mr. BURTON. Mr. President, the hour is rather late, and I should prefer to proceed to-morrow with the body of my argument.

I shall wish to take up, in the first place, the great advance which has been made in the last three years in provisions for safety at sea. A general impression prevails that prior to the *Titanic* disaster and even since that day the American Congress and its executive officers have neglected their duty in that regard. I shall point out, by specific statutes and conventions, that such has not been the case.

In the next place, I shall seek to show that this bill touches but one phase of safety at sea—a very important and essential one—but that it by no means includes the whole of the subject, nor does it pertain to the safeguards that are the most pressing.

In the next place, I shall endeavor to show that at least some of the provisions of the proposed amendment, notwithstanding they have been advocated so earnestly and so sincerely by the Senator from Wisconsin, instead of adding to safety would diminish safety.

There are one or two points, however, that I wish to take up to-night, particularly since a considerable number of questions were asked in regard to them. One of them is as to the proportion between the number of able seamen required to man lifeboats under the proposed bill and the number provided by the requirement of 40 per cent the first year, 45 per cent the second year, 50 per cent the third year, 55 per cent the fourth year, and thereafter 65 per cent.

Let us begin, in the first place, with the greatest ship that floats, the *Imperator*.

She carries 80 lifeboats, having about the maximum capacity for carriage that is safe, about 60 each, making 4,800. It was stated in the newspapers that on a recent voyage she brought over 5,000 persons from the Old World. Two able seamen to each of those lifeboats would make a total of 160. Her deck crew is composed of 70 men—40 able seamen, 18 ordinary seamen, and 12 so-called boys. They call them boys if they have served less than a year, even though they be 23, 24, or 25 years of age. So it would be necessary for that vessel to carry 120 additional able seamen for the mere sake of complying with the provisions of this bill.

It is far from me to say that such a vessel ought not to have plenty of able boatmen on board. I shall to-morrow go more fully into a subject about which I trust Members of the Senate will reflect, namely, that the seaman of to-day has entirely different functions and is a very different kind of man from the seaman of the days of the old sailing ship. Then he had to climb the masts, to raise and lower the sails, and to provide for the unforeseen emergencies of the sea, with its frightful storms. He manned the clipper ship, and our American sailors

were the best on the seas. They were necessarily men possessed of great physical strength, of agility, of skill. But to-day the whole situation has changed.

The modern steamship is a great piece of mechanism, a colossal structure, propelled not by sails but by steam, and the greatest amount of labor in the way of propulsion is the feeding of coal into the furnace or the pumping of oil. What is left for the sailor? To close the hatches, to wash the decks, to polish the brasses, to throw out lines when approaching a dock, although in large part that is done by machinery. If there is one of exceptional brightness, he keeps track of the log at the taffrail, as it is called. There is no more similarity between the duties of a sailor on a sailing ship and a deck hand on a modern steamer than there would be between two vitally different occupations.

I shall not for a moment decry the importance of these positions, nor would I wish in any way to disparage the hardships to which the sailor is subjected; but his position is entirely different from that of old. It gives him no special skill in the handling of lifeboats. In the hearings before our committee, which continued for some five or six weeks, there was one old sea captain who said: "I went 13 times around the Horn, and I never knew a case of the lowering of the lifeboats at any time."

Why, here in the instance of the *Grosser Kurfurst*, what happened? When the *Volturmo* was on fire there were vessels gathering around there from all points of the compass, all terrorized at the prospect, and all seeking to lower boats. The captain of the *Grosser Kurfurst* called for men who would volunteer to go down in the boats in that terrible raging sea. As one man, to their credit be it said, they rose up and volunteered. The captain had the whole crew to choose from. Whom did he choose? There were two men from the steward's department, one man from the scullery department, one coal passer, and one man, I believe, who fed the fires.

He picked out those as the best men he had on the vessel; and in the face of the terrible sea they lowered the boat, and—praise and blessing be upon them—they saved 21 lives at the very beginning. That which had been given up as impossible with a slight abatement in the sea they found possible. These stewards, these coal passers, these men who are spoken of with so much contempt are the men who handled that boat and put it over.

Why, it is not so much rowing that is needed; it is handling the mechanism, taking off the davits, seeing that the boat shall be lowered without one side going below the other. In handling the boats on a steamer it is mechanical ingenuity that is required quite as much as seamanship.

Mr. President, I shall go into this subject much more fully when the Senate is perhaps more disposed to listen and to take up the question and when there is a larger attendance of Senators.

Mr. VARDAMAN. Mr. President, will the Senator yield for a question?

Mr. BURTON. I shall be pleased to yield.

Mr. VARDAMAN. I should like to know if the Senator has any information as to the character of the men that were on deck in this ship that went down? He speaks of the men being selected from down in the ship. Has he any information as to the character of the sailors who were on deck and whether or not they were able seamen?

Mr. BURTON. I have no doubt there were about the ordinary number of able seamen. On a vessel of that kind, belonging to a standard line like the North German Lloyd, it would be impossible that the crew should fall below the average. It no doubt would have a considerable number of able seamen among the others.

Mr. LA FOLLETTE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Wisconsin?

Mr. BURTON. Certainly.

Mr. LA FOLLETTE. As perhaps throwing a little bit of light on that subject, I have here a letter which, with the indulgence of the Senator, I will read.

Mr. BURTON. Certainly.

Mr. LA FOLLETTE. This letter is from Mr. Gus Braun. He is a Swedish sailor, an able seaman of 12 or 15 years' standing. He sailed as quartermaster on the ocean for years, and as wheelsman on the Great Lakes. He is now the agent of the Eastern and Gulf Sailors' Association. It is his duty, in part, to give protection to sailors and to aid them in securing employment.

Immediately after the *Volturmo* disaster was reported I asked Mr. Furuseth to communicate with some one in New York and have him in waiting, as soon as any of the rescued

people landed in New York, to ascertain the conditions upon the *Volturmo*, the sort of seamanship there was there, and particularly to interview any of the sailors, if any would be willing to give statements. On October 18 Mr. Braun wrote this letter to Mr. Furuseth which I now read:

MY DEAR FURUSETH: Your letter received. In regard to the first, I may say that I tried very hard to get the carpenter, boatswain, one sailor, and one of the stokers to give a statement as to the way the lifeboats were handled during the disaster. These men all agreed that there was not enough efficient men aboard to man the boats.

I take it, from the fact that he did not send their statements, that they were not willing to take the chances that would go with making a formal statement of that sort, as affecting their service in the future.

He proceeds to say:

The *Volturmo* carried 8 able seamen, — ordinary, 4 quartermasters, 2 boatswains, and 2 carpenters. Nineteen lifeboats were carried in double rows on the top deck. One half of the deck crew were burned to death; they never had a chance to escape. The other half were fighting the fire in No. 1 hold. The firemen were kept in the stokehold keeping up steam and fighting the fire in the bunkers. The heat was terrific, and all the firemen took turns about of 15 minutes each at their posts. The steward's department was left to handle the lifeboats and the passengers—

That is the reason why some of the results were just as they were, I think.

with the result that you have heard about. Only one boat got away, the one the second mate was in charge of, and manned by two A. B.'s, one fireman, and the steward.

The steward's department consisted of men with hardly any experience at all, and unable to speak and understand the English language. Two or three men of the stokehold crew knew how to handle boats. The boat drill on the previous Saturday, the only one they had, merely amounted to showing the men their stations; no boats were swung out; none were lowered. At the time of the accident the wind was blowing 40 to 45 miles an hour.

Yours, fraternally,

GUS BRAUN.

Mr. BURTON. I have no variance with the Senator from Wisconsin in regard to the boat drills, the competency of the men, or the number of them. What I maintain is that the fact that a man has served three years at sea—he may be halt, he may be blind in one eye, he may be otherwise deficient—is no qualification over another man, very likely of better physique, to handle boats and lower them.

Another point I wish to make, in response to what the Senator from Wisconsin has said, is this: I do not know the facts in regard to what the men were or how many able seamen there were; there may be some way of contradicting or confirming that; but I do not believe a lifeboat can be fairly tested when there is a 40 or 45-mile-an-hour gale. I doubt whether any man could get down a lifeboat and make it useful at such a time.

Mr. LA FOLLETTE. Why, Mr. President, a wind of 40 or 45 miles an hour does not begin to be a gale. There ought to be no difficulty at all in lowering lifeboats with a 40 or 45-mile-an-hour wind if the men have had any experience whatever. That is the information I have.

Mr. BURTON. If the Senator had ever been out in a gale of that kind, with the resulting rough sea, I do not believe he would make that statement.

Mr. LA FOLLETTE. That is where the Senator from Ohio differs from Mr. Furuseth, who has been out in gales that neither of us would dare look in the face.

Mr. BURTON. I do not like to contradict anyone, Mr. Furuseth or anyone else, but do not try any experiments in a 40-mile-an-hour or a 45-mile-an-hour gale, and pray Heaven that if you go on an ocean voyage your vessel will not be shipwrecked by encountering such a gale as that.

Mr. President, there is one other thing that I want to speak of at this time, and that is this international maritime conference. I do not quite see how we can maintain national faith after having invited this conference ourselves; after we have chosen our delegates; after the propositions presented have been formulated; after all plans have been made for the meeting at London on the 12th of next month. Among the different subjects to be considered are the very things treated in this bill, the manning of boats, the efficiency of crews—

Mr. LA FOLLETTE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Wisconsin?

Mr. BURTON. A number of these subjects will, no doubt, come up.

Mr. LA FOLLETTE. Will the Senator permit me?

Mr. BURTON. All right.

Mr. LA FOLLETTE. The Senator will recall, and I can put my hand on it in a moment, the letter issued by the Commissioner of Navigation indicating the subjects that are to come up at that time, and he says the only one touched by any provision of this bill is efficiency; and all he says about that in his letter is that if practicable they will possibly consider that question.

Mr. BURTON. If practicable? The efficiency of officers and crews is included in the propositions formulated. I want to say in this connection, since the question has been raised, that it very much inures to the credit of our Bureau of Navigation and to our Department of Commerce that, before the *Volturno* fire, suggestions were made from that bureau that the subject of prevention of fire be considered at that conference which is to be held. So we at least have this record that we did not wait for the catastrophe to occur before we suggested that as one of the propositions to be considered.

There is a great deal in the two bills, and I am talking a little longer than I intended to do; but just one word more. I am telling no secret when I state that very strenuous protests have been received from at least three of the leading maritime nations against the adoption of any legislation here before that conference is held, on the ground that it would prejudice the very questions that are to be considered by the conferees. The conference indeed is not limited to any set program. It can take up any subject.

There are some things that we are going to insist on there. It is proper that I should speak of it right now. One of them is the abolition of arrests for desertion. The delegates from the United States would certainly insist upon that. But it is much better for us to secure the abolition of such arrest, which we abolished in the domestic trade in 1893, in an orderly and regular way.

I shall later call attention to the fact that the substitute bill contains a number of provisions which contravene our treaties; for instance, the one making it compulsory in an American port for the payment of wages to seamen employed on foreign vessels. Another relates to giving our courts jurisdiction over claims by foreign seamen against foreign ships. One of the latest treaties on that subject is with Sweden. It is perhaps hardly necessary for me to read it in full; it is the general international law:

The respective consuls general, consuls, vice consuls general, vice consuls, deputy consuls general, deputy consuls, and consular agents shall have exclusive charge of the internal order of the merchant vessels of their nation, and shall alone take cognizance of any difference which may arise, either at sea or in port, between the captain, officers, and crews, without exception, particularly in reference to the adjustment of wages and the execution of contracts. The local authorities shall not interfere except when the disorder that has arisen is of such a nature as to disturb tranquillity and public order—

That is the general rule—

on shore or in the port, or when a person of the country or not belonging to the crew shall be concerned therein.

In all other cases the aforesaid authorities—

That is, local authorities, such as our authorities in New York or Boston—

shall confine themselves to lending aid to the said consular officers, if they are requested by them to do so, in causing the arrest and imprisonment of any person whose name is inscribed on the crew list whenever for any cause the said officers shall think proper.

The same thing applies to the manning of ships, their crews. That is primarily a question for the country of the flag which the ship carries. Our treaties secure that, and it is a question of international law. But, of course, I do not mean to say that we can not provide that certain equipment shall be provided, not only in machinery but in the number of men, but I do think we ought not to do it until that time.

Mr. President, I desire to give notice that to-morrow, immediately after the routine business, I shall proceed to address the Senate on the pending bill.

Mr. LA FOLLETTE. Is it the desire, I will inquire, to have an executive session to-night?

Mr. BACON. That is the purpose; but two Senators have indicated a desire to occupy a moment, and I will yield to them before making the motion.

Mr. ASHURST. Mr. President, on the 7th of this month I had incorporated into the Record a short excerpt from the prison report of the parole clerk of the State prison of Arizona. There has been such a wide demand for the publication I ask unanimous consent that the report printed in the Record may be printed as a public document. I had an investigation and an estimate made of the expense, and it will cost about \$20 to print it as a public document. (S. Doc. No. 215.)

Mr. SMOOT. I am not going to object to the request made by the Senator from Arizona, only I think it is proper to call the attention of the Senator from Wisconsin to the fact that the unfinished business ought to be temporarily laid aside before any other business is done.

Mr. LA FOLLETTE. Mr. President, I ask to have the unfinished business temporarily laid aside.

The PRESIDING OFFICER. The Senator from Wisconsin asks that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none, and the unfinished business is temporarily laid aside. Is there objection to the request

of the Senator from Arizona? The Chair hears none, and it is so ordered.

Mr. SHEPPARD. I move that the Senator from Texas [Mr. CULBERSON], the Senator from Maine [Mr. BURLEIGH], and the Senator from Massachusetts [Mr. LODGE] be exempted from the order to telegraph Senators requesting their presence here.

The PRESIDING OFFICER. The question is on the motion of the Senator from Texas.

Mr. BACON. There are other Senators; for instance, I know the Senator from California [Mr. PERKINS] ought not to be included; the Senator from Indiana [Mr. SHIVELY] ought not to be included; and I would suppose—

Mr. SHEPPARD. I did not know of those cases and I would be glad to include them in my motion.

Mr. BACON. There may be others.

Mr. SMITH of Arizona. I suggest that the Senator from Texas include any Senator who is absent on account of illness.

Mr. LEWIS. I should like to inform the Senate that the Senator from Kansas [Mr. THOMPSON] is engaged in a matter which makes it impossible that he should return within the time indicated. I should like to have him also included in the list of those excepted.

Mr. SMOOT. I think when the telegrams are sent each Senator will use his own judgment as to whether he should return. I do not think there need be any exclusions. Let the telegrams be sent in such a way as to indicate that the presence of Senators is desired here, and a Senator will have to use his own personal judgment as to whether he can come or not.

Mr. LA FOLLETTE. The telegram is not compulsory, of course.

Mr. SMOOT. The telegram will not be compulsory. Every Senator here knows that it is impossible for the senior Senator from Texas [Mr. CULBERSON] to be here, and almost everyone in the United States knows it. The order will not be mandatory. It will simply suggest that the presence of Senators is desired.

Mr. VARDAMAN. I suggest that if a Senator has any excuse for not returning, that excuse will be submitted to the Senate by telegraph and the Senate can pass upon it then. Of course, the Senators referred to by the Senator from Texas, who are known to be ill, might be exempt from the order, but I think it is very well that the telegrams should be sent, and if the Senator from Kansas or any other Senator finds it impossible to return at once he will make that fact known to the Senate and the Senate, I am sure, will excuse him for not returning.

Mr. LEWIS. May I ask the nature of the telegrams? I did not hear the details. If the telegram is a mere suggestion to return, I agree with the Senator from Mississippi and the Senator from Utah that a Senator conscious of his duty here will return unless he is compelled to remain away.

I received a message from the Senator from Kansas [Mr. THOMPSON] stating that for a very intimate reason he has been called to the defense of a man on trial for his life, and the trial having begun, it is impossible for him to leave the case. Unless the telegram carries the suggestion that a Senator would be in contempt of the Senate if he did not come, the suggestion of the Senator from Mississippi is all right.

Mr. LA FOLLETTE. The direction that the telegrams be sent by the Sergeant at Arms was made, I believe, on my motion.

The PRESIDING OFFICER. The Secretary will read the proceeding for the benefit of the Senator from Illinois [Mr. LEWIS].

The Secretary read as follows:

Mr. LA FOLLETTE. Mr. President, I move that the Sergeant at Arms be directed to notify by telegram all absent Senators to return immediately and attend upon the sessions of the Senate. The motion was agreed to.

Mr. SHEPPARD. I think, in view of that language, I am justified in making the motion I have submitted.

Mr. VARDAMAN. I happened to be in the chair when the motion was made. The language is not quoted exactly. It ought to read that absent Senators be requested to return. I do not think the word "request" is used there.

The PRESIDING OFFICER. The Chair has no information except what appears in the Record.

Mr. VARDAMAN. The language used was the language that is employed in the rule.

The PRESIDING OFFICER. Does the Senator from Texas move to reconsider the vote by which the order was adopted?

Mr. BACON. I suggest as a shorter method that by unanimous consent the word "requested" be inserted. That is what the Senator from Wisconsin says he intended.

Mr. VARDAMAN. That is what I said.

Mr. BACON. That will put every Senator upon his obligation to return unless there is some good reason which he will give to the Senate.

Mr. LA FOLLETTE. I will not object to that.

The PRESIDING OFFICER. The Chair will state that the telegrams have already been sent to all absent Senators in pursuance of the order adopted.

Mr. LA FOLLETTE. Then, we might wait.

Mr. BACON. I think, so far as the Senators mentioned by the Senator from Texas are concerned, and others, of course, if there are reasons which are controlling with them they will not come; and if the occasion will demand it they will submit to the Senate their excuses and the Senate will be in a position to judge whether or not they are proper excuses.

Mr. SHEPPARD. In view of the discussion brought out by my motion, I will withdraw it.

The PRESIDING OFFICER. The motion of the Senator from Texas is withdrawn.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, October 22, 1913, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate October 21, 1913.

APPOINTMENT IN THE NAVY.

Joseph B. Greene, of North Carolina, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 15th day of October, 1913.

POSTMASTERS.

ALABAMA.

W. K. Kenan to be postmaster at Geneva, Ala., in place of Ida O. Tillman, removed.

ARKANSAS.

C. A. Harris to be postmaster at Junction City, Ark., in place of Charles L. Jones, removed.

J. E. Leeper to be postmaster at Dermott, Ark., in place of Ruby Jones, resigned.

CALIFORNIA.

Charles W. Fay to be postmaster at San Francisco, Cal., in place of Arthur G. Fisk, resigned.

CONNECTICUT.

Dennis C. Murphy to be postmaster at Taftville, Conn., in place of James Graham, removed.

Patrick T. Oates to be postmaster at Saugatuck, Conn., in place of Joseph Morton, resigned.

FLORIDA.

Samuel Bass to be postmaster at Glen St. Mary, Fla. Office became presidential October 1, 1913.

J. B. Griffin to be postmaster at Greenville, Fla. Office became presidential October 1, 1913.

GEORGIA.

Emmett M. Anderson to be postmaster at Statesboro, Ga., in place of William H. Blitch. Incumbent's commission expired July 20, 1913.

ILLINOIS.

Walter R. Lovett to be postmaster at Onarga, Ill., in place of George R. Palmer, resigned.

Jacob Sand to be postmaster at Roanoke, Ill., in place of Benjamin W. Belsley, resigned.

INDIANA.

W. P. Van Arsdall to be postmaster at Fairmont, Ind., in place of Gladys E. Lyons, resigned.

Benjamin A. Batson to be postmaster at Bluffton, Ind., in place of Lester E. Roush, deceased.

IOWA.

John J. Dunlevy to be postmaster at Lansing, Iowa, in place of George W. Metcalf, resigned.

KANSAS.

Lenora Maude McElheny to be postmaster at Louisburg, Kans., in place of George W. McElheny, deceased.

LOUISIANA.

Willie Harris to be postmaster at Homer, La., in place of William C. Price, resigned.

Maurice C. Wilson to be postmaster at Hammond, La., in place of Benjamin S. Gallup, resigned.

MASSACHUSETTS.

Richard F. Burke to be postmaster at Williamsburg, Mass. Office became presidential October 1, 1913.

James J. O'Donnell to be postmaster at Holyoke, Mass., in place of Charles A. Chase, resigned.

George F. Snow to be postmaster at Orleans, Mass., in place of Simeon L. Smith, deceased.

MINNESOTA.

A. H. Adams to be postmaster at Jasper, Minn. Office became presidential January 1, 1912.

Marc D. Atkinson to be postmaster at Crosby, Minn. Office became presidential January 1, 1913.

James H. Fleming to be postmaster at Virginia, Minn., in place of Mary H. James. Incumbent's commission expired December 10, 1910.

MISSISSIPPI.

J. M. King to be postmaster at Durant, Miss., in place of John W. Lockhart, removed.

NEW YORK.

John Lyons to be postmaster at Gardiner, N. Y., in place of Myron E. Stephens, removed.

George W. Tracey to be postmaster at Kinderhook, N. Y., in place of George H. Brown, removed.

Charles A. Wilkins to be postmaster at Broadalbin, N. Y., in place of Frank G. Fuller. Incumbent's commission expired August 2, 1913.

Leon B. Wright to be postmaster at Lindonville, N. Y., in place of G. A. Waterbury. Incumbent's commission expired May 17, 1913.

NORTH DAKOTA.

P. J. Bott to be postmaster at Marmarth, N. Dak., in place of Frank G. Richards, resigned.

D. J. Drummond to be postmaster at Esmond, N. Dak., in place of M. C. Knudsen. Incumbent's commission expired February 4, 1912.

Theodore F. Huston to be postmaster at Deering, N. Dak. Office became presidential October 1, 1913.

OKLAHOMA.

M. W. Ligon to be postmaster at Ada, Okla., in place of U. G. Winn, removed.

A. C. Smith to be postmaster at Ponca City (late Ponca), Okla., in place of Henry W. Headley, to change name of office.

PENNSYLVANIA.

Samuel Bulford to be postmaster at Dallas, Pa. Office became presidential October 1, 1912.

John H. Krumbine to be postmaster at Vintondale, Pa. Office became presidential April 1, 1911.

E. C. Tingley to be postmaster at Hop Bottom, Pa. Office became presidential October 1, 1913.

TENNESSEE.

Victor C. Stafford to be postmaster at Sevierville, Tenn., in place of Isham A. Watson, resigned.

TEXAS.

Bettie Jackson to be postmaster at Stratford, Tex. Office became presidential October 1, 1913.

John G. Oltorf to be postmaster at Marlin, Tex., in place of Dunn R. Emerson, resigned.

WASHINGTON.

R. A. Belvail to be postmaster at Palouse, Wash., in place of George N. Lamphere, resigned.

Thomas J. Quirt to be postmaster at Blaine, Wash., in place of J. D. Stage. Incumbent's commission expired July 26, 1913.

WEST VIRGINIA.

Jesse Craver to be postmaster at Boomer, W. Va. Office became presidential October 1, 1913.

Mary E. Davin to be postmaster at Montgomery, W. Va., in place of Luther S. Montgomery, resigned.

WISCONSIN.

Annie K. Blanchard to be postmaster at Blanchardville, Wis., in place of Samuel L. Mason. Incumbent's commission expired January 29, 1912.

Irvin H. Ecker to be postmaster at Whitehall, Wis., in place of John C. Southworth. Incumbent's commission expired January 12, 1913.

Albert F. Fuchs to be postmaster at Loyal, Wis., in place of George Green. Incumbent's commission expired January 28, 1913.

Aloys Grimm to be postmaster at Cassville, Wis., in place of Walter Kleinpell, resigned.

E. D. Singleton to be postmaster at Camp Douglas, Wis., in place of Frank L. Davis. Incumbent's commission expired April 8, 1913.

J. V. Swift to be postmaster at Benton, Wis. Office became presidential January 1, 1913.

John O'Neil to be postmaster at North Freedom, Wis., in place of Jonathan Wiggins, resigned.

Henry Wachsmuth, sr., to be postmaster at Bayfield, Wis., in place of George A. Packard, resigned.

W. M. Ward to be postmaster at Soldiers Grove, Wis., in place of Thomas Gander. Incumbent's commission expired March 1, 1913.

CONFIRMATIONS.

Executive nominations confirmed by the Senate October 21, 1913.

ASSISTANT APPRAISER OF MERCHANDISE.

Joseph Knox Fornance to be assistant appraiser of merchandise in the district of Philadelphia, Pa.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Lieut. Commander Arthur G. Kavanagh to be a commander.

Lieut. Benyaurd B. Wygant to be a lieutenant commander.

Lieut. (Junior Grade) George E. Lake to be a lieutenant.

The following-named ensigns to be lieutenants (junior grade):

Rensselaer W. Clark, and

Howard B. Meclary.

The following-named officers of the Navy to be ensigns:

Boatswain Frank Hindrelet,

Chief Machinist August Schulze,

Boatswain Ralph Martin, and

Machinist Frank G. Kutz.

The following-named citizens to be assistant surgeons in the Medical Reserve Corps:

John F. Riordan,

Joseph J. Kaveney,

Claude W. Carr,

Louis H. Roddis, and

Charles A. Costello.

POSTMASTERS.

KANSAS.

Ed L. Hepler, Winfield.

MINNESOTA.

P. J. McCormick, Hopkins.

Lorenzo J. Markoe, White Bear Lake.

A. Waag, Roseau.

MISSISSIPPI.

J. M. King, Durant.

C. A. McCharen, Oxford.

Lillian McCleary, Hollandale.

MISSOURI.

Luther E. Thomas, Herculaneum.

NEBRASKA.

George Beckler, Deshler.

Charles H. Mohr, Plainview.

NEW JERSEY.

George A. Hurd, Haworth.

C. D. Nicholson, Grenloch.

OHIO.

C. L. Barkman, Osborn.

Harry H. Frazee, Murray.

Laura Emma Jones, Shadyside.

E. R. Lash, Athens.

Harry B. Mapel, Columbus Grove.

A. E. Stiwald, Amherst.

OKLAHOMA.

Robert Landers, Lawton.

WISCONSIN.

Henry Wachsmuth, sr., Bayfield.

WYOMING.

M. R. Merrill, Wheatland.

HOUSE OF REPRESENTATIVES.

TUESDAY, October 21, 1913.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who art everywhere present, unseen, yet a potent factor in shaping and guiding the affairs of men and of nations, make us conscious of Thy presence and susceptible to Thy holy influence, that as individuals and as a nation we may render unto Thee and unto our fellow men faithful service now and always, in His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

ADJOURNMENT OF CONGRESS.

Mr. UNDERWOOD. Mr. Speaker, for the information of the House, proceeding under unanimous consent, I ask that the letter which I send to the Clerk's desk, from the President of the United States, be read.

The Clerk read as follows:

THE WHITE HOUSE,
Washington, October 20, 1913.

HON. OSCAR W. UNDERWOOD,
House of Representatives.

MY DEAR MR. UNDERWOOD: Last week you called upon me and, in view of the very natural desire of the Members of the House of Representatives to know why it seemed necessary to keep them continuously in Washington and when they might expect to be free to go home, if only for a brief interval of adjournment, asked me what I thought the prospects were with regard to the banking and currency bill in the Senate. As I then promised you, I have had conferences with members of the Senate Committee on Banking and Currency, both Democrats and Republicans. As a result of those conferences I feel confident that a report on the bill may be expected not later than the first week in November. Most of the members of the committee with whom I have conferred have shown themselves keenly aware of the disadvantage to the country of any unnecessary delay. I believe that the action of the Senate upon the bill will follow within two or at the most three weeks after the report is made. I do not believe that there will be any attempt to delay its passage by dilatory tactics. Senators on both sides realize that the business of the country awaits this legislation, impatient of being kept in suspense, and display a most public-spirited desire to dispose of it promptly. The passage of the bill is assured.

In these circumstances I should like to confer with you, as you so kindly suggested, as to the action the House should take while awaiting the result.

Cordially and sincerely, yours,

WOODROW WILSON.

Mr. UNDERWOOD. Mr. Speaker, I wish to say to the House that the President is very anxious that action should be taken on the currency bill before an adjournment of Congress is reached. He tells me that he has reason to be hopeful that that result will be accomplished. He also states that there is no desire on his part to interfere with the Members of this House returning home or the House taking a recess until the currency bill comes back from the Senate. I have been unable to reach an agreement with my friend from Illinois [Mr. MANN] in reference to a recess. Of course it is recognized that without a quorum being present we can take no action on this matter unless it is practically done by unanimous consent. More than that, after inquiry I have reached the conclusion that the Senate would not agree to a concurrent resolution allowing the House to take a recess at this time. Therefore that is impracticable; but, as I stated the other day, there is no further business for the House to transact, and as there is no desire on the part of the administration to push business in the House at this time, but a desire that Congress shall remain in session until the currency bill comes back, there is but one method that we can pursue, and that is to adjourn from day to day and allow those Members to go home who desire to do so, who undoubtedly can go home without criticism on account of their absence.

Mr. MANN. Mr. Speaker, I am afraid that Members who go home will find that they will be criticized both here and at home. I notice what the President has said in this letter, which has just been read, that he has conferred with members of the Committee on Banking and Currency of the Senate, both Democratic members and Republican members, using the plural. I think the President gives a very erroneous impression by stating that he has conferred with Republican members of the Committee on Banking and Currency. Anyone would suppose from that that he had talked to at least two Republican members of that committee. The President is usually very careful and accurate in his use of the English language. My information is that he has talked with only one Republican member of the Committee on Banking and Currency of the Senate, and has no authority for the assurance that he has from any conversation had with that one member.

The President apparently stakes his judgment on the proposition that the Banking and Currency Committee of the Senate will report the currency bill back to the Senate by the first week

in November, and will dispose of the bill in the Senate within three weeks. I am willing to stake my legislative judgment for all time upon the proposition that the banking and currency bill will not be disposed of in the Senate during the month of November nor during the month of December. With all parties desiring banking and currency legislation, and apparently with the present knowledge that the bill as it passed the House, if enacted into law in its present shape, would produce a financial panic and chaos such as this country has never before seen, it would seem desirable to make such changes in the bill as would do benefit rather than injury to the country. That will not be done at a moment's notice or without consideration. If the President desires Congress to remain in session, there is but one thing for us to do. As long as the majority side of the House is unwilling to act upon its own judgment, but prefers to follow the directions of the President, if Congress is to remain here, then it ought to remain here and do business. We ought to "fish or cut bait," to use an old expression. With the program before us, as stated by the newspapers, in reference to legislation during next winter, unless we proceed to business both in committees and in the House we will not get away from here next year until September or October. By that time my distinguished friend from Alabama will probably have left the House and gone to a less important forum of legislation. [Applause.] The rest of us are interested in having Congress proceed. A vast amount of legislation is proposed. The committees ought to be at work reporting that legislation to the House. The House ought to go to work in disposing of it. With the appropriation bills sure to receive some lengthy consideration next winter, we ought either to adjourn and get the rest that we need so that we could stay here late next year, or else we ought to go to work. Members think they can excuse themselves in their districts for being at home while Congress is remaining in session, because the President directs the Democratic majority to stay here. Well, they can take that chance. As far as I am concerned I am willing to stay here and do business, but I am not willing to take a recess to come back in the middle of November when everybody knows that if the House comes here at that time it would be of no avail, and if meanwhile an arrangement could be made in the Senate by unanimous consent that the currency bill shall be set down as the unfinished business to be followed continuously until it is disposed of, then Congress could not adjourn when the House was in recess. I prefer to take no chances.

Mr. UNDERWOOD. Mr. Speaker, I wish to say that of course I realize the uncertainty that follows any piece of legislation that is pending in the United States Senate while there is not a cloture rule, and that no man can predict with any certainty what will happen. I feel that it is the duty of this side of the House to sustain the President of the United States, the leader of our party, in his efforts to secure the passage of this currency legislation that not only meets with his approval but is a bill that was created by this side of the Chamber, many gentlemen on that side concurring with them. It is our legislation and we are responsible to the country for it. I feel it is necessary that we should have good currency legislation for the business interests of the country, and that the sooner it goes on the statute books the sooner business prosperity will respond to that legislation. Therefore I am anxious that the House should stay here in session, or nominal session, and sustain the President in his efforts to secure the speedy enactment of this legislation; but at the same time I realize that the membership of this House have been here for nearly a year. They have not been home; they are worn out, and a 30 days' recess would put them in far better condition to attend to business next winter than if we stay here and grind continuously now. For that reason I would like to secure an arrangement by which the membership of the House could take a partial recess at least, one that would enable them to go home and get rested while we were waiting upon the Senate to act, and I would like to ask my friend from Illinois [Mr. MANN] again if he is not willing to enter into a pact to allow the House to adjourn three days at a time for a couple of weeks and see what will be the result in the Senate?

Mr. MANN. Mr. Speaker, we have been no longer in session than has the Senate, and my friend from Alabama says that he knows the Members of the House would be able to do business better, more intelligently, and probably quicker next winter if we get a recess now. Now, there is no superiority in the form of human beings in the Senate over the House. If that is true as to the Members of the House, it is equally true as to the Members of the Senate.

Mr. UNDERWOOD. But the Senate has the legislation and evidence no desire to adjourn.

Mr. MANN. The Senate has not a quorum present, the same situation that the House is in. It was without a quorum yesterday, is without a quorum to-day in the city, and probably will be without a quorum to-morrow.

And everybody knows, except the President, that the Senate is not going to dispose of the currency bill in November, and if we need the rest they need the rest over there. If we stay here, I want the House to do business.

Mr. UNDERWOOD. It is evident, I will say to my friend from Illinois, that the House can not do business now. A quorum is not here.

Mr. MANN. If we stay here, some day this side of the House will catch that side of the House napping and send out for Members and bring them back. We have the chance, and we will do it.

EXTENSION OF TIME ON DESERT-LAND ENTRIES.

Mr. RAKER. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from California [Mr. RAKER] rise?

Mr. RAKER. The gentleman from Washington [Mr. LA FOLLETTE] would like to be heard.

Mr. LA FOLLETTE. Mr. Speaker, I would like to ask unanimous consent to discharge the Committee on the Public Lands from further consideration of the bill S. 1673, which is strictly an emergency measure. I will say that this bill was introduced in the Senate on the 22d day of August, went to the Public Lands Committee there, was considered as an emergency measure, and they reported it back, and it passed the Senate on the 27th day of August. But, owing to conditions, we have not been able to get it up here before now, and I would like to have unanimous consent to consider it at this time.

Mr. UNDERWOOD. Mr. Speaker, reserving the right to object, I will say that I had a talk with the gentleman before coming on the floor, and I understand the purpose of this bill is merely to extend the time on which certain desert-land entrymen can perfect their entries, and that their delay in perfecting their entries has been caused by the delay on certain irrigation work of the United States Government.

Mr. LA FOLLETTE. That is practically the case, with the exception that this was private and not Government work. I will say that the Sixty-second Congress passed a bill for the relief of this kind of cases, and they used the word "construction," just the same as the gentleman from Alabama [Mr. UNDERWOOD] did now, and made no allowance in case any emergency should arise that would stop operation. In this particular case the construction of the dam was completed, but the people had built extravagantly and were badly in debt, and it went into the hands of a receiver. Through no fault of the settlers, it has not been operated, and the law we passed in the last Congress did not cover the case of operation, and we simply want to get into this law the word "operation."

Mr. UNDERWOOD. Now, as I understand it, this bill gives these settlers no more rights than they have heretofore had, except to extend the time on which they may perfect their entries?

Mr. LA FOLLETTE. Exactly; and just the same as the law in the Sixty-second Congress did.

Mr. UNDERWOOD. And if it is not passed at this time, some of the rights will be forfeited?

Mr. LA FOLLETTE. Some of them will expire in a very short time.

Mr. UNDERWOOD. I have no objection, Mr. Speaker.

Mr. MANN. Let us have the bill read.

The SPEAKER. Is there objection?

Mr. HARDWICK. I reserve the right to object.

The SPEAKER. The gentleman from Washington [Mr. LA FOLLETTE] asks unanimous consent to discharge the Committee on the Public Lands from further consideration of the bill S. 1673 and asks for the present consideration thereof. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 1673) authorizing the Secretary of the Interior to grant further extensions of time within which to comply with the law and make proof on desert-land entries in the counties of Grant and Franklin, State of Washington.

Be it enacted, etc., That the Secretary of the Interior may, in his discretion, grant to any entryman under the desert-land laws in the counties of Grant and Franklin, in the State of Washington, a further extension of time within which he is required to comply with the law and make final proof: *Provided*, That such entryman shall, by his corroborated affidavit, filed in the land office of the district where such land is located, show to the satisfaction of the Secretary that because of unavoidable delay in the construction and operation of irrigation works intended to convey water to the land embraced in his entry he is, without fault on his part, unable to make proof of the reclamation and cultivation of said lands as required by law within the time limited therefor; but such extension shall not be granted for a period of more than three years, and this act shall not affect contracts initiated for a valid existing reason.

The SPEAKER. Is there objection?

Mr. HAYDEN. Reserving the right to object, which I will not do, I want to say that the Public Lands Committee, of which I am a member, has no objection to being discharged from the further consideration of this bill. I was authorized by the chairman of the committee, the gentleman from Oklahoma [Mr. FERRIS], to say that he hoped the bill would receive prompt consideration by the House.

Mr. HARDWICK. Will the gentleman yield?

Mr. HAYDEN. Yes.

Mr. HARDWICK. Has the gentleman looked into the details of this bill?

Mr. HAYDEN. Yes, sir.

Mr. HARDWICK. And into the provisions of the bill?

Mr. HAYDEN. The only difference in this bill and the law as it stands to-day are the words "and operation." The situation is this: These irrigation works were built by a private company. The law says that an entryman who is unable to get water by failure of construction on the part of any company, and through no fault of his own, may have an extension of time in which to make final proof on his entry. The works have been constructed, but they are not in operation. The promoters of this enterprise have been prosecuted by the United States postal authorities and some of them are in the penitentiary now for making fraudulent sales of stock in this irrigation company. The canal and irrigation works can not be operated until the matter is settled in court, and we have therefore added the words "and operation" to the present law. This bill has been recommended by the Secretary of the Interior, and was ordered reported unanimously by the Committee on the Public Lands of the House.

Mr. FOSTER. Mr. Speaker, will the gentleman permit a question?

Mr. HAYDEN. Certainly.

Mr. FOSTER. I observe in reading the resolution that it says "further extension." Have they already had an extension?

Mr. HAYDEN. They would be entitled to an extension of the time under the present law, and they have taken advantage of that extension so far as possible.

Mr. FOSTER. That is what is meant by the words "further extension"?

Mr. HAYDEN. Yes; that is what is meant.

Mr. FOSTER. I notice that this provides for an extension of three years.

Mr. HAYDEN. Not to exceed three years.

Mr. FOSTER. Yes. You say that this company has completed the works, but they have not been able to put them in operation to supply the water?

Mr. HAYDEN. The company is in the hands of a receiver at the present time.

Mr. FOSTER. Is it such litigation that this company can not furnish the water at the present time under the direction of the receivers?

Mr. HAYDEN. Yes. That is what I understand. Mr. LA FOLLETTE can answer more fully.

Mr. LA FOLLETTE. It is in the hands of a receiver, and they are trying to settle the rights of property. These people have been guilty of a great many frauds, and it is going to be a long-drawn-out fight, as several million dollars are at issue, and there will be a delay on account of court matters. The gentleman is well aware of the fact that sometimes these things drag along quite a while. They ask for the same limit of time as was granted in the law in case of failure of construction. This is just like the law passed by the Sixty-second Congress, with the word "operation" added, as stated by the gentleman from Arizona [Mr. HAYDEN].

Mr. SHERLEY. Mr. Speaker, I would like to ask the gentleman a question.

Mr. LA FOLLETTE. Very well.

Mr. SHERLEY. What is the proof that they are now required to make under the law?

Mr. LA FOLLETTE. They have to have a certain amount of water for a certain time on so many acres.

Mr. HAYDEN. The entryman must cultivate one-eighth of the irrigable area of his land.

Mr. SHERLEY. I would be glad if any gentleman can tell me—because I do not know myself—just what the requirements as to proof are; and I want to follow that with a question as to whether an extension of time really affects in a material sense the character of the proof to be made.

Mr. RAKER. If the gentleman will permit, I think I can explain the situation. Under the original desert-land act they are given four years in which to irrigate and cultivate their

land. They must expend at least a dollar per acre upon the land, and they must irrigate each legal subdivision thereof within the four years.

Now, an act was passed several years ago—a number of acts, in fact—by which the settlers were allowed an extension of time wherein the construction works that were being constructed for the purpose of irrigating this land could be completed. These people have already had that three years' extension of time to get the water upon the land. Now, in this particular case they have completed the construction of the ditches and the dams, and the water is ready to turn upon the land; but the settlers can not prove up until they actually get the water on the land, although they have paid for their water and the ditches are ready to turn the water in, and therefore they are asking an extension of time by which they can have the questions at issue adjusted between themselves and those who built the dam. Private parties built the dam. They have had some trouble over it.

The settlers simply file on the land and pay so much for the water right. The dam and ditches are now constructed, and the settlers simply ask that an extension of three years be given by which they can adjust their interests with the construction parties, and then within the three years they will be able to turn the water upon the lands and irrigate every legal subdivision thereof. In that event they can make their final proof.

Mr. SHERLEY. How are the entries made in the first instance?

Mr. RAKER. By filing in the land office and making a partial purchase payment.

Mr. SHERLEY. Is there any conflict on entries?

Mr. RAKER. There is no conflict.

Mr. SHERLEY. As I understand the gentleman, the facts are that because of the failure to construct and operate the work required in connection with proof has been delayed?

Mr. RAKER. That is true.

Mr. SHERLEY. But the same work would have to be done as would have been done in the first instance, the effect of this being simply to extend the time?

Mr. RAKER. In substance; yes.

Mr. SHERLEY. If that is not exactly the case, what is the fact?

Mr. RAKER. In this particular case there is a law on the statute book by which the Commissioner of the General Land Office, after the first four years have elapsed, can extend the time to get water on the land by reason of works not being completed.

Mr. SHERLEY. That is all a question of time.

Mr. RAKER. Only a question of time.

Mr. SHERLEY. Now, what I wish to get at is a question of work. A man has to do certain things in order to perfect his title?

Mr. RAKER. Every year.

Mr. SHERLEY. Is the effect of this bill to change what he shall do, except in the matter of time?

Mr. RAKER. It makes absolutely no change. He has to comply with the law by filing his yearly proof each year and expending as much as a dollar an acre on the land. That is all done. The only thing they want now is an extension of three years, so that they may go to this water ditch and dam already constructed and turn the water on the land. That is all.

The SPEAKER pro tempore (Mr. JOHNSON of Kentucky). Is there objection to the request of the gentleman from Washington [Mr. LA FOLLETTE].

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. LA FOLLETTE, a motion to reconsider the last vote was laid on the table.

Mr. RAKER. Mr. Speaker, so that there may be no question about it, I ask to have the report on this bill printed in the RECORD.

Mr. MANN. The Senate report?

Mr. RAKER. Yes.

Mr. MANN. Have the House committee made any report?

Mr. RAKER. The House committee have prepared a report; but, in accordance with the policy adopted by the Democratic caucus, that report has not been filed.

The SPEAKER pro tempore. If there be no objection, the Senate report on this bill will be printed in the RECORD.

There was no objection.

The Senate report is as follows:

Mr. CHAMBERLAIN, from the Committee on Public Lands, submitted the following report to accompany S. 1673: The Committee on Public Lands, to whom was referred the bill (S. 1673) authorizing the Secretary of the Interior to grant further extension

sions of time within which to make proof on desert-land entries in the county of Grant, State of Washington, have given the same very careful consideration and beg leave to report it back to the Senate with the recommendation that it do pass.

The reasons for the enactment of the measure are set forth in the following correspondence:

Hon. WESLEY L. JONES, North Yakima, Wash., April 19, 1913.
United States Senate, Washington, D. C.

MY DEAR SENATOR: Mr. Snively and I have been engaged for a year past in an endeavor to regain for the original owners and entrymen possession of a large body of land in the southern part of Grant County, to which they lost title and possession about a year ago through the failure of the De Larm companies (so called), in Seattle.

This De Larm and his associates, as you doubtless are aware, proposed primarily to install a large irrigation enterprise in and around that section on the Columbia River in Grant County known as Wahluke, and which is almost directly across the Columbia River from White Bluffs, and spent about \$250,000 on the plant, and induced the homesteaders and desert-land entrymen and landowners in that section to mortgage their claims and lands to his corporation in exchange for proposed permanent water rights for water to be furnished them for part of their land, while at the same time they (De Larm and associates) fraudulently sold and exchanged bonds secured on this enterprise and these lands to thousands of innocent purchasers all over the country, to the extent, it is said, of over \$4,000,000, with a resultant total failure of the whole enterprise and prosecution, conviction, and imprisonment of the promoters by the United States Government at Portland, Oreg., for improper use of the mails.

Now, this irrigation plant has been practically completed for a year past, but has not been operated, as the company has been forced into involuntary bankruptcy, and the trustee in bankruptcy has not been able to operate the plant, and consequently the desert-land entrymen under the project who had relied upon it to furnish water to prove up on their claims are in the position that if they can not get a further extension of time from the Government within which to prove up they must either lose their claims or scrip them; and few of these people are able to pay for scrip.

Most of the settlers on these lands have already used the three years' extension from the date of expiration of their original four-year term, to which they are entitled under the present law, and their time for proving up under the present laws will expire during the autumn of the present year.

Now, we desire to know if it will be possible during the present extra session of Congress to have an amendment made to the act which you originally introduced and which was approved February 28, 1911 (36 Stat., 960), entitled "An act authorizing the Secretary of the Interior to grant further extension of time within which to make proof on desert-land entries in the counties of Benton, Yakima, and Klickitat, in the State of Washington," by having the county of Grant included in the law.

As you are doubtless aware, there are several new projects for reclaiming large bodies of land by irrigation, including the Quincy project, now being promoted in Grant and Douglas Counties, and such an amendment to the existing law would be an inestimable boon to desert-land entrymen throughout that large and important section of our State, and would be highly appreciated by the whole inland empire.

Will you kindly give this matter your earliest convenient attention and advise me at Ellensburg, Wash., as to what we may hope for in the premises?

Believe me, with kindest personal regards,
Very sincerely, yours,

I. C. LLOYD.

DEPARTMENT OF THE INTERIOR,
Washington, July 19, 1913.

Hon. GEORGE E. CHAMBERLAIN,
Chairman Committee on Public Lands, United States Senate.

SIR: I am in receipt of your request for report upon S. 1673, which proposes to give the Secretary of the Interior discretion to grant extensions of time within which to make final proof to any entryman under the desert-land laws in Grant County, Wash., where it is satisfactorily shown that because of unavoidable delay in the construction and operation of irrigation works intended to convey water to the lands embraced in his entry he is, without fault on his part, unable to make proof of reclamation and cultivation of said lands, as required by law, within the time prescribed therefor. The bill further provides that such extensions should not be granted for more than three years, and that the act shall not affect contests initiated for a valid existing reason.

There are in force three general laws under which the time within which desert entrymen are required to make final proof may be extended by administrative action: Section 5, act of June 27, 1906 (34 Stat., 520), authorizing extensions where desert entry is embraced within the exterior limits of a withdrawal or project under the reclamation act of June 17, 1902; section 3, act of March 28, 1908 (35 Stat., 52), authorizing an extension of time not exceeding three years, where, because of unavoidable delay in construction of irrigating works, claimant is unable to make proof of reclamation; act of April 30, 1912 (37 Stat., 106), authorizing the Secretary of the Interior to grant a further extension of time, not exceeding three years, upon satisfactory showing of the same conditions as are required by the act of March 28, 1908, supra.

There have been enacted several statutes of special or local application authorizing extensions of time for submission of proof in desert-land cases, such as the act of February 28, 1911, authorizing the Secretary of the Interior to grant extensions, not to exceed three years, to desert-land entrymen in Benton, Yakima, and Klickitat Counties, Wash., because of unavoidable delay in construction of irrigation works; and act of January 26, 1912 (37 Stat., 56), authorizing the granting of a similar extension to desert-land entrymen in the counties of Weld and Larimer, Colo.

Senate bill 1673 differs from existing laws hereinbefore described in that it authorizes relief in cases where the entrymen are prevented from making final proof because of unavoidable delay in the "operation" of irrigation works intended to convey water to the lands, as well as in those cases where there is delay in construction of same. I am not advised as to conditions existing in this connection in Grant County, Wash., but know of no objection to the enactment of the measure. In this connection I suggest the advisability of the enactment of legislation of general application authorizing the Secretary of the Interior to grant limited extensions of time to desert-land entrymen who, without fault, fraud, or negligence on their part, are unable for good and sufficient reason to comply with the requirements of the law with reference to

reclamation and cultivation of lands embraced in their entries, and to make proof and payment thereon within the time specified by the existing general desert-land laws.

Respectfully,

FRANKLIN K. LANE.

JOINT RESOLUTIONS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolutions of the following titles, when the Speaker signed the same:

H. J. Res. 134. Joint resolution for the appointment of a joint committee from House and Senate to attend Congress Hall celebration in Philadelphia in October, 1913; and

H. J. Res. 125. Joint resolution authorizing the President to appoint delegates to attend the Seventh International Congress of the World's Purity Federation, to be held in the city of Minneapolis, State of Minnesota, November 7 to 12, 1913.

SUFFERERS FROM RECENT STORMS IN ALASKA.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 136, for the relief of sufferers from recent storms in the Territory of Alaska.

The SPEAKER pro tempore. The gentleman from Washington asks unanimous consent for the present consideration of a joint resolution which the Clerk will report.

The Clerk read as follows:

Resolved, etc., That the sum of \$20,000, or so much thereof as may be necessary, is hereby appropriated, out of any funds in the Treasury not otherwise appropriated, to be expended at the direction of the President of the United States in giving aid and relief to the native and white people of the Territory of Alaska who have suffered from the storms occurring along the coast in the vicinity of Nome during the fore part of October.

The SPEAKER pro tempore. Is there objection?

Mr. SHERLEY. Reserving the right to object, I will say to the gentleman from Washington that I am not prepared at this time to permit the consideration of this resolution appropriating this amount of money. I have had occasion to look a little bit into the situation at Nome as the result of the recent disaster there. I think all that ought to be asked of Congress at this time is to make available an unexpended balance of \$4,000 of a fund that was put at the disposition of the Revenue-Cutter Service. That would certainly carry us along in relief work to such time as would enable us to get some definite information from Alaska as to the exact extent of the damage there and how far Congress would be warranted in appropriating an additional sum.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. MANN. The gentleman has looked into the matter. Is the gentleman informed—and is it a fact—that if relief is to be granted at all it must be granted almost immediately, in order to get it to Alaska before the winter sets in?

Mr. SHERLEY. No; I do not think that the extent of the relief is to be determined by time, so to speak. The department was informed that it is probable that some of the relief, and, in fact, most of it, may be a continuing relief through the winter, in the way of giving some aid and employment to people there.

Mr. MANN. I was informed, and I asked the gentleman for information on that point, that unless Congress acts upon the matter in time so that boats which are about to sail very shortly may carry the relief it will be too late in the winter, because of lack of transportation. I do not know what the fact is.

Mr. SHERLEY. My understanding is that the money desired now is not for the purpose of bringing people out of Nome.

Mr. MANN. Oh, no.

Mr. SHERLEY. Not so much that as to provide during the winter for those there who have been rendered destitute.

Mr. MANN. What I want to get at is, will it be possible a little later, owing to the coming of winter, to send any supplies to Nome?

Mr. SHERLEY. It is not so much even to send supplies. There is certain work at which these men can be employed there that will afford them relief in the way of payment for their labor, and also relief to others by virtue of the work done. It is believed that will meet the situation. I had an informal conversation with the Secretary of the Interior about it yesterday. His original information from the marshal of the district was that the situation seemed to be exaggerated, and on the strength of that the matter was held in abeyance. Subsequently telegrams came that seemed to indicate that the view of the marshal was not fully shared, if shared at all, by the other residents there. But the Secretary said to me late yesterday, in a conversation touching the matter, that he believed if this fund was made available it would be sufficient for the immediate present, and meanwhile he would take active steps to get

information as to what additional relief, if any, should be granted.

Mr. MANN. That is the opinion of the Secretary—

Mr. SHERLEY. Of the Secretary of the Interior.

Mr. MANN. He asks to make available the balance of the fund that we appropriated on account of the volcanic eruption up there?

Mr. SHERLEY. Yes; there is about \$4,000 available; and I shall not object to the consideration of a joint resolution for that purpose.

Mr. HAMILTON of Michigan. Will the gentleman yield for a question?

Mr. SHERLEY. Certainly.

Mr. HAMILTON of Michigan. What kind of employment can these people be given when the thermometer is 60° below zero?

Mr. SHERLEY. There is certain labor in bringing in fuel, and so forth.

Mr. HAMILTON of Michigan. Fuel from where?

Mr. SHERLEY. The gentleman from Washington can answer the gentleman from Michigan more in detail.

Mr. JOHNSON of Washington. There is this situation: The tidal storm on the far Alaskan coast about the first of this month was so severe that the cemeteries at Nome and the mining cities were all washed open. Many bodies are unburied and scattered along the ground. Secretary Lane has wired that he has no funds to bury them. The schools have had to close. The waterworks are gone, the lighting plant is gone, and the fuel of the people that had been laid in for the winter is gone. It is absolutely certain that the Government must take care of this Territory and help sustain the community. I am perfectly willing to accept the suggestion of the gentleman from Kentucky for the introduction of the other resolution transferring this money which was appropriated for the volcanic relief some time ago and allow the question of further relief for the peninsula to come later.

Terrific storms raged during the first three or four days of this month; fully one-third of the residences and business houses were destroyed, and conflagration, which followed, did further damage. The United States cable was out of service for several days, but was repaired, and from the 7th to the 9th telegrams began to come in telling of great distress and immediate need.

The revenue cutter *Bear* was due at Nome about the 12th, and the heads of the departments here thought it best to await a detailed report from Capt. Ballinger, of the *Bear*.

On the 15th the revenue cutter *Bear* reached Nome and her captain sent the following telegram:

NOME, October 15.

TO REVENUE-CUTTER SERVICE,
Washington, D. C.:

Bear arrived at 6. Information received from mayor, city council, relief committee, and other prominent citizens of Nome indicate loss of about one-third taxable property. Great many homes destroyed. Entire water front devastated. Several craft wrecked. Total loss of life about 12. Estimate places homeless about 500. Abundance of provisions on hand and coming by steamers, but city is in poor financial condition, owing to damage to taxable property, and if relief is not afforded great suffering will occur this winter. Schools will have to be closed for lack of funds, and work of rehabilitation will not be possible. Strongly recommend immediate Federal aid. Minimum sum, \$25,000, though \$50,000 would be better. Some destitute persons need transportation. Number not known at present; possibly not to exceed 75. *Bear* leaves 16th to return destitute Eskimos to their homes at Kings Island, Diomedes, and Whales.

BALLINGER, Captain of *Bear*.

Of course no one was starving at Nome, but the city authorities see clearly that they can not care for the destitute during the long dark winter. It is now too late to send the revenue cutters. The *Bear* is bringing out 100. Seattle rushed an extra boat north with more supplies and will bring out more destitutes.

But the municipality of Nome is bankrupt; has lost its water system, its electric-light plant; its people have lost their winter's fuel supply and much of their food; the schools must close, and the situation looks black, indeed, even to Alaskans, the most courageous people on the face of the earth.

Representative HUMPHREY of Washington and Delegate WICKERSHAM, of Alaska, are in Seattle, and have forwarded the most reliable information possible. The Treasury Department, the Attorney General's Office, and the Interior Department have all received reports from their Federal agents, and all insist that relief is absolutely necessary. All ask for \$50,000, as do the Seattle and Nome Chambers of Commerce. The captain of the *Bear*, who has had much experience in the far north, says that \$50,000 is needed, but that \$25,000 is the absolute minimum. Capt. Bertholf, the commandant of the Revenue-Cutter Service, who has had much experience in the Alaskan waters, and whose brave efforts in giving relief to whalers in that frozen region has been recognized by a congressional medal, stated

this morning that the sum is needed, and that it is clearly apparent that the money will have to be spent for relief during the winter, and that it will be much better to directly appropriate the money to be spent as the President may direct rather than have deficiencies come in from the various departments which must do the work.

I have asked for only \$20,000, and while the \$4,000 offered in the second resolution is like a penny on a church platter, I am glad to accept it, in view of the statement of the gentleman from Kentucky that if further relief is necessary the various departments which have to do with Alaskan matters will authorize additional expenditures.

Mr. SHERLEY. I suggest to the gentleman from Washington that he offer joint resolution 139 for consideration.

Mr. JOHNSON of Washington. I will do that.

Mr. SHERLEY. Let the gentleman make that request now.

Mr. JOHNSON of Washington. Mr. Speaker, I will ask unanimous consent for the present consideration of House joint resolution 139.

The SPEAKER pro tempore. The gentleman from Washington asks unanimous consent to withdraw the resolution he offered, and asks unanimous consent for the immediate consideration of House joint resolution 139, which the Clerk will read.

The Clerk read as follows:

Joint resolution (H. J. Res. 139) to relieve destitution among the native people of Alaska.

Resolved, etc. That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to expend for the relief of destitute natives of Alaska suffering from the action of a storm in the northern Bering Sea on October 6 to 7, 1913, the unexpended balance remaining of the \$30,000 appropriated in the act entitled "An act making appropriation to supply deficiencies and appropriations for the fiscal year 1912, and for other purposes," approved August 26, 1912, to reimburse the Revenue-Cutter Service for expenses incurred in relieving suffering through the action of a volcano near Kodiak, Alaska; and the Secretary of the Treasury is hereby directed to transfer such unexpended balance to the credit of the Secretary of the Interior.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

Mr. MANN. Mr. Speaker, may I ask the gentleman a question?

Mr. JOHNSON of Washington. I will yield.

Mr. MANN. I think this resolution would only authorize the furnishing of aid to the Eskimos or the natives of Alaska. Is it desirable, from the gentleman's information, to give to the Secretary of the Interior authority to furnish any aid to the Americans who are located at Nome?

Mr. SHERLEY. I see no objection to enlarging the resolution so as to include natives and residents of Alaska and leaving it to the discretion of the Secretary of the Interior. There might arise an individual case, or several cases, where he should have that power. I suggest to the gentleman from Washington that he offer an amendment. Or, Mr. Speaker, I will myself offer the following amendment, that after the word "natives," in line 5, there be inserted the words "and residents."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 1, line 5, by inserting after the word "natives" the words "and residents."

The SPEAKER. The question is on the amendment offered by the gentleman from Kentucky.

The amendment was agreed to.

The joint resolution as amended was ordered to be read a third time, was read the third time, and passed.

The title was amended.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to place in the RECORD some telegrams in explanation of this matter.

The SPEAKER. The gentleman from Washington asks unanimous consent to insert some telegrams in the RECORD. Is there objection?

There was no objection.

The telegrams are as follows:

SEATTLE, WASH., October 15, 1913.

COMMISSIONER OF EDUCATION, Washington, D. C.:

Eight-thousand-dollar relief fund wired from Seattle not shared with natives. Must have immediate funds. Relief needed Chignik, Golovin. Evans wires part winter supplies lost most Norton Sound villages. LOOP.

NOME, ALASKA, October 7, 1913.
(Via Seattle, Wash., October 8.)

ATTORNEY GENERAL, Washington, D. C.:

Many unidentified dead bodies washed up by storm. Many cases expensive inquest necessary. City wrecked and bankrupt. Can not handle. No provision payment burial without inquest. Wire clerk or marshal pay expenses burial with inquest. Will keep expenses as low as possible.

SCHOFIELD, Commissioner.

HON. ALBERT JOHNSON:

After the San Francisco fire Nome sent \$12,500 cash, the first money received in San Francisco, and her total contribution was thirteen hundred times more per capita than any other contributing city.

Now in her great calamity she needs aid, and it should be prompt. Congress should make an emergency appropriation of \$25,000 to put the city on her feet. The Nation owes this and more to Alaska. Coast cities will also contribute to aid the destitute. We wired \$5,000 yesterday and will send more to-day.

SEATTLE CHAMBER OF COMMERCE.

SEATTLE, WASH., October 16, 1913.

HON. ALBERT JOHNSON,

House of Representatives, Washington, D. C.:

Cole, manager Miners and Merchants' Bank, Nome, Alaska, wires "400 families lost homes and winter's supply of fuel and provisions, being cared for by city. People of Safety, Solomon, and Golovin to care for. City without funds to rebuild streets and bridges. Congressional assistance advisable. United States marshal denies sending reports as stated."

JAMES WICKERSHAM.

SEATTLE, WASH., October 13, 1913.

HON. ALBERT JOHNSON:

Need for Government aid to Nome imperative. Two miles of water front devastated. All buildings completely destroyed. Eight hundred whites and three hundred natives homeless. Loss of property estimated at \$1,000,000. A community of 2,500 people can not support this large number of destitute through approaching winter. Navigation closes Bering Sea November 1. Last passenger and freight steamer will leave Seattle for Nome October 20. Passenger accommodation on returning steamers from Nome already engaged. People at Nome taking care of immediate demands, but can not continue long. Hope Government will immediately appropriate sufficient funds for purpose. Suggest \$25,000.

W. E. HUMPHREY.

JUNEAU, ALASKA, October 10.
(Via Seattle, Wash., October 13.)

HON. ALBERT JOHNSON:

Strongly indorse appropriation \$20,000 by Congress for relief Nome sufferers. Half of town washed away and many people ruined and in need.

STRONG, Governor.

THE CURRENCY.

Mr. LAFFERTY. Mr. Speaker, I ask unanimous consent to extend some remarks in the RECORD on the subject of the currency.

The SPEAKER. The gentleman from Oregon asks unanimous consent to extend his remarks in the RECORD on the subject of the currency. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. WALKER. Mr. Speaker, I have just received a telegram from my colleague, Mr. EDWARDS, announcing the death of his brother. I ask unanimous consent that he may have 10 days' leave of absence.

The SPEAKER. The gentleman from Georgia asks unanimous consent for 10 days' leave of absence for his colleague, Mr. EDWARDS, on account of death in the family. Is there objection?

There was no objection.

POSTAL SERVICE.

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on some discriminations and inequalities in the postal service.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD on the subject of the postal service. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Alabama moves that the House do now adjourn.

Mr. MANN. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 73, nays 37, answered "present" 11, not voting 307, as follows:

YEAS—73.

Abercrombie	Doremus	Keating	Sherley
Aiken	Doughton	Kindel	Sherwood
Aswell	Evans	Kirkpatrick	Sims
Bailey	Fergusson	Lee, Ga.	Stephens, Miss.
Barkley	Flood, Va.	Lee, Pa.	Stone
Beakes	Foster	Lloyd	Stout
Beall, Tex.	Garrett, Tex.	McAndrews	Stringer
Bell, Ga.	George	McDermott	Taggart
Brockson	Gray	Maguire, Nebr.	Tavener
Brumbaugh	Hamlin	Oldfield	Ten Eyck
Buchanan, Tex.	Hay	Page	Thomas
Byrns, Tenn.	Hayden	Pepper	Underwood
Candler, Miss.	Helm	Phelan	Walker
Carlin	Hensley	Raker	Watkins
Cox	Hughes, Ga.	Rauch	Whaley
Crosser	Hull	Reilly, Conn.	Young, Tex.
Deltrick	Humphreys, Miss.	Rothermel	
Dent	Jacoway	Russell	
Donohoe	Johnson, Ky.	Sabath	

NAYS—37.

Anderson	Falconer	La Follette	Sinnott
Austin	Fowler	Lindbergh	Smith, Idaho
Avis	Frear	Lindquist	Smith, Minn.
Barton	French	MacDonald	Smith, Saml. W.
Bell, Cal.	Greene, Vt.	Manahan	Steenerson
Browne, Wis.	Hawley	Mann	Sutherland
Buchanan, Ill.	Johnson, Utah	Patton, Pa.	Towner
Campbell	Johnson, Wash.	Powers	
Cooper	Kennedy, Iowa	Roberts, Mass.	
Donovan	Lafferty	Rogers	

ANSWERED "PRESENT"—11.

Adamson	Fields	Logue	Smith, J. M. C.
Cary	Hamilton, Mich.	Morrison	Woods
Crisp	Hardwick	Slayden	

NOT VOTING—307.

Adair	Dyer	Kennedy, Conn.	Pou
Alney	Eagan	Kennedy, R. I.	Prouy
Alexander	Eagle	Kent	Quin
Allen	Edmonds	Kettner	Ragsdale
Ansberry	Edwards	Key, Ohio	Rainey
Anthony	Elder	Kiess, Pa.	Rayburn
Ashbrook	Esch	Kinkaid, Nebr.	Reed
Baker	Estopinal	Kinkead, N. J.	Reilly, Wis.
Baltz	Fairchild	Kitchin	Richardson
Barchfeld	Faison	Knowland, J. R.	Riordan
Barnhart	Farr	Konop	Roberts, Nev.
Bartholdt	Ferris	Korby	Rouse
Bartlett	Fess	Kreider	Rucker
Bathrick	Finley	Langham	Rupley
Blackmon	Fitzgerald	Langley	Saunders
Boober	FitzHenry	Lazarus	Scott
Borchers	Floyd, Ark.	L'Engle	Scully
Borland	Fordney	Lenroot	Seldomridge
Bowdle	Francis	Leshner	Sells
Bremner	Gallagher	Lever	Shackleford
Britten	Gard	Levy	Sharp
Brodbeck	Gardner	Lewis, Md.	Shreve
Broussard	Garner	Lewis, Pa.	Sisson
Brown, N. Y.	Garrett, Tenn.	Lieb	Slemp
Brown, W. Va.	Gerry	Lithicum	Sloan
Browning	Gillett	Lobeck	Small
Bruckner	Gillmore	Loneragan	Smith, Md.
Bryan	Gittins	McClellan	Smith, N. Y.
Bulkley	Glass	McCoy	Smith, Tex.
Burgess	Godwin, N. C.	McGillcuddy	Sparkman
Burke, Pa.	Goeke	McGuire, Okla.	Stafford
Burke, S. Dak.	Goldfogle	McKellar	Stanley
Burke, Wis.	Good	McKenzie	Stedman
Burnett	Goodwin, Ark.	McLaughlin	Stephens, Cal.
Butler	Gordon	Madden	Stephens, Nebr.
Byrnes, S. C.	Gorman	Mahan	Stephens, Tex.
Calder	Goulden	Maher	Stevens, Minn.
Callaway	Graham, Ill.	Mapes	Stevens, N. H.
Cantrill	Graham, Pa.	Martin	Summers
Caraway	Green, Iowa	Merritt	Switzer
Carew	Greene, Mass.	Metz	Talbott, Md.
Carr	Gregg	Miller	Talcott, N. Y.
Carter	Griest	Mitchell	Taylor, Ala.
Casey	Griffin	Mondell	Taylor, Ark.
Chandler, N. Y.	Gudger	Montague	Taylor, Colo.
Church	Guernsey	Moon	Taylor, N. Y.
Clancy	Hamill	Moore	Temple
Clark, Fla.	Hamilton, N. Y.	Morgan, La.	Thacher
Claypool	Hammond	Morgan, Okla.	Thompson, Okla.
Clayton	Hardy	Morin	Thomson, Ill.
Cline	Harrison	Moss, Ind.	Townsend
Collier	Hart	Moss, W. Va.	Treadway
Connelly, Kans.	Haugen	Mott	Tribble
Connolly, Iowa	Hayes	Murdock	Tuttle
Conry	Heflin	Murray, Mass.	Underhill
Copley	Helgesen	Murray, Okla.	Vare
Covington	Helvering	Neeley	Vaughan
Cramton	Henry	Nelson	Volstead
Cullop	Hill	Nolan, J. I.	Wallin
Curley	Hinds	Norton	Walsh
Dale	Hinebaugh	O'Brien	Walters
Danforth	Hobson	Oglesby	Watson
Davenport	Holland	O'Hair	Weaver
Davis	Houston	O'Leary	Webb
Decker	Howard	O'Shaunessy	Whitacre
Dershem	Howell	Padgett	White
Dickinson	Hoxworth	Palmer	Williams
Dies	Hughes, W. Va.	Parker	Willis
Difenderfer	Hulings	Patten, N. Y.	Wilson, Fla.
Dillon	Humphrey, Wash.	Payne	Wilson, N. Y.
Dixon	Igoe	Peters, Mass.	Wingo
Doelling	Johnson, S. C.	Peters, Me.	Winslow
Doollittle	Jones	Peterson	Witherspoon
Driscoll	Kahn	Platt	Woodruff
Dunn	Keister	Plumley	Young, N. Dak.
Dupré	Kelley, Mich.	Porter	
	Kelly, Pa.	Post	

So the motion to adjourn was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.

Mr. SCULLY with Mr. BROWNING.

Mr. METZ with Mr. WALLIN.

Mr. HOBSON with Mr. FAIRCHILD.

Mr. BARTLETT with Mr. BUTLER.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Until further notice:

Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1).

Mr. ASHBROOK with Mr. KAHN.

Mr. ALEXANDER with Mr. DYER.

Mr. BALTZ with Mr. SHREVE.

Mr. BLACKMON with Mr. BARCHFELD.

Mr. BORLAND with Mr. KEISTER.
 Mr. BREMNER with Mr. KIESS of Pennsylvania.
 Mr. BOWDLE with Mr. MOSS of West Virginia.
 Mr. BURNETT with Mr. HAYES.
 Mr. BROUSSARD with Mr. KELLEY of Michigan.
 Mr. BATHRICK with Mr. KELLY of Pennsylvania.
 Mr. BROWN of West Virginia with Mr. KREIDER.
 Mr. BURKE of Wisconsin with Mr. CARY.
 Mr. CLARK of Florida with Mr. MACDONALD.
 Mr. COLLIER with Mr. WOODS.
 Mr. CLAYTON with Mr. MONDELL.
 Mr. CLAYPOOL with Mr. BRYAN.
 Mr. CANTRILL with Mr. HELGESEN.
 Mr. CARAWAY with Mr. KENNEDY of Rhode Island.
 Mr. CRISP with Mr. HINDS (transferable).
 Mr. CLANCY with Mr. HAMILTON of New York.
 Mr. COVINGTON with Mr. MILLER.
 Mr. CARTER with Mr. MCGUIRE of Oklahoma.
 Mr. CLINE with Mr. NORTON (commencing Oct. 1).
 Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.
 Mr. DEERSHEM with Mr. DAVIS.
 Mr. DOREMUS with Mr. MAPES.
 Mr. DIES with Mr. SWITZER.
 Mr. DUPEÉ with Mr. ANTHONY.
 Mr. CURLEY with Mr. J. R. KNOWLAND.
 Mr. FRANCIS with Mr. HUGHES of West Virginia.
 Mr. FITZGERALD with Mr. CALDER.
 Mr. FERRIS with Mr. SELLS.
 Mr. FIELDS with Mr. LANGLEY.
 Mr. FAISON with Mr. CURRY.
 Mr. FINLEY with Mr. GREEN of Iowa.
 Mr. GILMORE with Mr. MCKENZIE.
 Mr. GARD with Mr. PLUMLEY.
 Mr. GOODWIN of Arkansas with Mr. PORTER.
 Mr. GOEKE with Mr. FESS.
 Mr. GRAHAM of Illinois with Mr. PETERS of Maine.
 Mr. GARNER with Mr. J. I. NOLAN.
 Mr. GORDON with Mr. THOMSON of Illinois.
 Mr. GARRETT of Tennessee with Mr. LANGHAM.
 Mr. HEFLIN with Mr. DUNN.
 Mr. HARRISON with Mr. GRAHAM of Pennsylvania.
 Mr. HOKWORTH with Mr. ROBERTS of Nevada.
 Mr. HOWARD with Mr. GRIEST.
 Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).
 Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).
 Mr. HOUSTON with Mr. WILLIS.
 Mr. HENRY with Mr. LEWIS of Pennsylvania.
 Mr. IGEE with Mr. PROUTY.
 Mr. JONES with Mr. HINEBAUGH.
 Mr. KITCHIN with Mr. PAYNE.
 Mr. KEY of Ohio with Mr. FARR.
 Mr. KONOP with Mr. MORIN.
 Mr. KETTNER with Mr. SCOTT.
 Mr. MCCOY with Mr. COPLEY.
 Mr. MCGILLICUDDY with Mr. GUERNSEY.
 Mr. MONTAGUE with Mr. VARE.
 Mr. MOON with Mr. DILLON.
 Mr. MORGAN of Louisiana with Mr. HULINGS.
 Mr. MORRISON with Mr. HUMPHREY of Washington.
 Mr. MCKELLAR with Mr. MOTT.
 Mr. PALMER with Mr. MOORE.
 Mr. PETERSON with Mr. PLATT (commencing Oct. 13).
 Mr. POST with Mr. MURDOCK.
 Mr. PAGE with Mr. GILLET (commencing Sept. 30).
 Mr. RAINEY with Mr. MADDEN.
 Mr. RUCKER with Mr. HAUGEN.
 Mr. RUSSELL with Mr. DANFORTH.
 Mr. ROUSE with Mr. RUPLEY.
 Mr. RICHARDSON with Mr. MARTIN.
 Mr. RUBEY with Mr. TREADWAY.
 Mr. SHARP with Mr. YOUNG of North Dakota.
 Mr. SPARKMAN with Mr. HOWELL.
 Mr. SUMNERS with Mr. ESCH.
 Mr. STEDMAN with Mr. EDMONDS.
 Mr. SAUNDERS with Mr. AINEY.
 Mr. SMITH of Texas with Mr. McLAUGHLIN.
 Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.
 Mr. STEPHENS of Nebraska with Mr. SLOAN.
 Mr. TAYLOR of Arkansas with Mr. SUTHERLAND.
 Mr. TALBOTT of Maryland with Mr. MERRITT.
 Mr. UNDERHILL with Mr. WALTERS.
 Mr. WATSON with Mr. CRAMTON.
 Mr. WHITACRE with Mr. TEMPLE.
 Mr. WILLIAMS with Mr. BRITTEN.
 Mr. WEBB with Mr. WOODRUFF.

Mr. WHITE with Mr. NELSON.
 Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).
 Mr. WINGO with Mr. PARKER.
 Mr. WEAVER with Mr. BURKE of Pennsylvania.
 Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).
 Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).
 Mr. REED with Mr. WINSLOW (commencing Oct. 1 for remainder of extra session).
 Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, 1913, except on cotton-futures amendment).
 Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, ending balance of session).
 Mr. J. M. C. SMITH. Mr. Speaker, I desire to change my vote of "no" to "present," because I am paired with the gentleman from Ohio, Mr. ALLEN.
 The name of Mr. J. M. C. SMITH was called, and he answered "Present."
 Mr. HAMILTON of Michigan. Mr. Speaker, I am paired with the gentleman from Kansas, Mr. CONNELLY, and I desire to change my vote of "no" to "present."
 The name of Mr. HAMILTON of Michigan was called, and he answered "Present."
 The result of the vote was announced as above recorded.
 Accordingly (at 1 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Wednesday, October 22, 1913, at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Assistant Secretary of War, transmitting, with a letter from the Chief of Engineers, report on examination of Amite River, from the mouth of Bayou Manchac to a point west of the town of Liberty, in Amite County, Miss. (H. Doc. No. 257), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FLOOD of Virginia: A bill (H. R. 8974) to increase the limit of cost of the public building at Covington, Va.; to the Committee on Public Buildings and Grounds.

By Mr. BYRNS of Tennessee: A bill (H. R. 8975) to increase the limit of cost for the addition to the Federal building at Nashville, Tenn., and to authorize the Secretary of the Treasury to acquire additional land by purchase, condemnation, or otherwise, if in his discretion it is necessary to do so for the enlargement of said building; to the Committee on Public Buildings and Grounds.

By Mr. REILLY of Connecticut: A bill (H. R. 8976) to provide for the purchase of a site and the erection of a public building thereon at Guilford, in the State of Connecticut; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8977) to provide for the purchase of a site and the erection of a public building thereon at Milford, in the State of Connecticut; to the Committee on Public Buildings and Grounds.

By Mr. CARY: A bill (H. R. 8978) to make October 12 in each year a public holiday, to be called Columbus Day; to the Committee on the Judiciary.

By Mr. KEATING: Resolution (H. Res. 290) authorizing the appointment of a committee to make an investigation of conditions in the coal fields in Las Animas, Huerfano, Fremont, Grand, Routt, Boulder, Weld, and other counties in the State of Colorado; to the Committee on Rules.

By Mr. KINKAID of New Jersey: Joint resolution (H. J. Res. 143) to provide for the establishment of a plant for the manufacture of armor plate for the United States Navy; to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AVIS: A bill (H. R. 8979) for the relief of the heirs of Nancy Montgomery; to the Committee on War Claims.

By Mr. DONOHUE: A bill (H. R. 8980) granting a pension to Thomas McGuinness; to the Committee on Invalid Pensions.

By Mr. FLOOD of Virginia: A bill (H. R. 8981) for the relief of N. B. Woods; to the Committee on War Claims.

By Mr. FOSTER: A bill (H. R. 8982) granting a pension to Thomas Stiffler; to the Committee on Pensions.

Also, a bill (H. R. 8983) granting a pension to J. T. Braddy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8984) granting an increase of pension to Daniel B. Mills; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8985) to remove the charge of desertion from the record of Henry Benjamin; to the Committee on Military Affairs.

Also, a bill (H. R. 8986) authorizing the Secretary of War to deliver two mounted bronze cannon on carriages to post, Grand Army of the Republic, Vandalia, Ill.; to the Committee on Military Affairs.

Also, a bill (H. R. 8987) authorizing the Secretary of War to deliver one mounted bronze cannon on carriage to post, Grand Army of the Republic, Hunt, Ill.; to the Committee on Military Affairs.

By Mr. KAHN: A bill (H. R. 8988) granting a pension to Letta D. Webster; to the Committee on Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 8989) granting an increase of pension to Alpheus Danley; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 8990) granting an increase of pension to Adelaide H. Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8991) granting an honorable discharge to Patrick Bolan; to the Committee on Military Affairs.

Also, a bill (H. R. 8992) granting an honorable discharge to James McKenzie; to the Committee on Military Affairs.

By Mr. RAKER: A bill (H. R. 8993) granting relief to R. R. Baker, P. H. Trendt, Mary H. Manning, Mrs. Fred Schadler, S. S. Garrett, A. C. Lowell, and Harry Watson, of Fort Bidwell, Cal., and for other purposes; to the Committee on the Public Lands.

By Mr. RUSSELL: A bill (H. R. 8994) for the relief of Elisha K. White; to the Committee on Military Affairs.

Also, a bill (H. R. 8995) granting an increase of pension to Hezekiah Bradds; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 8996) granting an increase of pension to Robert A. Robinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8997) granting a pension to Catharine L. Jones; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 8998) to remove the charge of desertion from the military record of Ed Pruett; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. FLOOD of Virginia: Evidence to accompany bill H. R. 8981 for the relief of N. B. Woods; to the Committee on War Claims.

By Mr. REILLY of Connecticut: Petition of the Central Labor Union of Meriden, Conn., favoring the passage of the Booher-Hensley bill, to regulate merchandise produced by convict labor; to the Committee on Labor.

SENATE.

WEDNESDAY, October 22, 1913.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

OCTOBER 22, 1913.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. H. F. ASHURST, a Senator from the State of Arizona, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. ASHURST thereupon took the chair as Presiding Officer and directed that the Journal of yesterday's proceedings be read.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BRANDEGEE and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MEMORIAL.

The PRESIDING OFFICER presented a memorial of the Chamber of Commerce of New York, remonstrating against the passage of the pending seamen's bill until after the meeting of the international conference on safety to life and property at sea has been held, which was ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McLEAN:

A bill (S. 3319) granting an increase of pension to Emily H. Harrington (with accompanying papers); to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 3320) granting an increase of pension to Alexander H. Farmer (with accompanying paper); to the Committee on Pensions.

CORBETT TUNNEL CLAIMS.

Mr. MYERS. I introduce a joint resolution and ask that it be read to the Senate.

The joint resolution (S. J. Res. 74) appropriating money for the payment of certain claims on account of labor, supplies, materials, and cash furnished in the construction of the Corbett Tunnel was read the first time by its title and the second time at length, as follows:

Resolved, etc., That there be, and is hereby, appropriated out of any moneys in the reclamation fund in the Treasury supplemental and additional to the appropriation made in public resolution 56, Sixty-second Congress, the sum of \$15,750, or so much thereof as may be necessary, for the payment of and to be paid to those persons who have presented claims, remaining unpaid, on account of labor, supplies, materials, or cash furnished to the contractor or the subcontractor and used in the construction of the Corbett Tunnel, including the spillway connected therewith, as a part of the Shoshone Irrigation project, in the State of Wyoming, under any contract or contracts let for that purpose by the Government of the United States; and the Secretary of the Interior is hereby authorized and directed to forthwith, and as soon as may be, investigate, hear evidence about, determine, and declare the several amounts due and remaining unpaid, if any, on account thereof, and to whom so due, and to certify the amounts due to the Secretary of the Treasury, who is hereby authorized to pay the several amounts so ascertained to the persons entitled to the same: *Provided*, That no such claims not now filed shall be considered: *And provided further*, That the Secretary of the Interior shall deduct from the amounts to be certified for payment hereunder and under the said resolution to each claimant a proportionate sum to cover the expense of and fair compensation for the person or persons through whose time and services this matter has been laid before Congress, except such claimants as have agreed with such person or persons for compensation; and such deductions shall be certified for payment to such person or persons in like manner as other claims.

Mr. MYERS. Mr. President, substantially this same measure was considered by the Senate Committee on Appropriations of the Sixty-second Congress and reported favorably and unanimously passed by this body as an item in the deficiency appropriation bill. So it has once passed this body unanimously and has had substantially the unanimous approval of this body after consideration by a committee. But in the closing hours of the Sixty-second Congress the House rejected all amendments to the bill of which it was a part, and in the hurry it was lost in conference.

Substantially this same measure was again introduced in this the Sixty-third Congress as an amendment to the urgent deficiency bill and referred to the Committee on Appropriations. So this measure at this session has been referred once to a committee of this body and considered by the Committee on Appropriations as an amendment to the urgent deficiency bill. It was not recommended by that committee to be adopted by the Senate because the committee did not consider it technically a deficiency or as having a proper place in an urgent deficiency appropriation bill. There appeared to be no objection to the merits of it. I appeared before the committee and discussed it exhaustively with the committee, and not one objection was made to the merits, but merely to giving it a place in the urgent deficiency bill.

So it has been before a committee of this body at this session as well as unanimously passed by the Senate in the Sixty-second Congress. It is only supplemental to something that has been done by Congress before in order to piece out and supply a deficiency, as I call it, that has already been recognized upon its merit by Congress.

I ask unanimous consent for the immediate consideration of the joint resolution.

Mr. BRYAN. Mr. President, I hardly think that is a proper course, and I move that the joint resolution be referred to the Committee on Appropriations. I make this motion in the absence of the chairman of the committee, because I think it ought to go there.

Mr. CUMMINS. I could not quite hear the statement of the Senator from Florida.

Mr. BRYAN. I move that the joint resolution be referred to the Committee on Appropriations.

Mr. CUMMINS. Before the Senator from Florida makes that motion, may I be permitted to say a word to the Senate and to him?

Mr. BRYAN. Certainly.